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Hearings

1963.

Nos 3-5











# ROYAL COMMISSION

ON

## PILOTAGE

### HEARINGS

HELD AT

SAINT JOHN

N.B.

VOLUME No.:

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ROYAL COMMISSION ON MARINE PILOTAGE

Proceedings of the hearing held  
in the Court House, Saint John,  
New Brunswick, on Friday, the  
15th day of February, 1963.

COMMISSION:

The Honourable Mr. Justice Bernier	Chairman
Robert K. Smith, Esq.	Member
Harold A. Renwick, Esq.	Member

Mr. Gilbert W. Nadeau	Secretary
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COMMISSION COUNSEL:

Mr. Maurice Jacques, Q.C.	
Mr. Leopold Langlois, Q.C., for the Canadian Merchant Service Guild, Inc.	
Mr. E. Neil McKelvey, Q.C., for the Pilots' Committee of Saint John Pilotage District.	







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EMT/dpw

1 --- On commencing at 10 a.m.

2 MR. JACQUES: My Lord, it has been agreed  
3 by all the interested parties that at this stage we would  
4 hear a representative from shipowners, Mr. Kane.

5 MR. H.E. KANE: My Lord, members of the  
6 Commission, on behalf of the Saint John Steamship  
7 Committee I wish to express our appreciation for the  
8 opportunity and privilege of attending here this morning  
9 before this very highly important Royal Commission on  
10 Pilotage. We are also grateful to the learned counsel  
11 for the Saint John pilots and his associates for relin-  
12 quishing this time to us this morning as we are very busy,  
13 extremely busy at the present time with our port activity  
14 at its peak.

15 The points we have raised in a short  
16 communication will be further enlarged upon and covered  
17 by a brief to be submitted later by the Shipping Federa-  
18 tion of Canada.

19 At this juncture I would like to state  
20 that we have no complaint about the quality of service as  
21 rendered by the Saint John pilots.

22 With me this morning we have other members  
23 of the Saint John Steamship Committee: Captain Duggan of  
24 the Canadian Pacific Steamships; Mr. Scott, Cunard; Mr.  
25 Northrup, Furness-Withey and Mr. Bishop, McLean-Kennedy.  
26 Associated with us as well is Captain Mathewson of the  
27 Shipping Federation of Canada.

28 It is our desire to be helpful in endeavou-  
29 ring to answer questions that might be asked by the  
30 Commission as regards local conditions.







1 THE CHAIRMAN: Mr. Jacques, do you have any  
2 questions to put to Mr. Kane, and if so, Mr. Kane will  
3 have to be sworn as a witness?

4 MR. JACQUES: Yes, My Lord, I have very  
5 few questions.

6  
7 H.E. KANE, sworn

8 DIRECT EXAMINATION BY MR. JACQUES:

9 Q. Mr. Kane, I believe you were in  
10 court yesterday when Mr. Quinn gave evidence?

11 A. Yes, sir.

12 Q. I suppose you pay particular atten-  
13 tion, and you are familiar with the present custom in  
14 Saint John Harbour to the effect of the pilot as movement  
15 control officer, are you?

16 A. I should be familiar, Mr. Jacques.  
17 I have been around here for about 40 years in this busi-  
18 ness, and if I am not familiar, I have nobody to blame  
19 but myself.

20 Q. Is this arrangement satisfactory to  
21 shipowners?

22 A. I would not say absolutely satis-  
23 factory, no.

24 Q. Would you care to point out to the  
25 Commission the various questions on which it may not be  
26 satisfactory?

27 A. Well, I think one of the chief  
28 problems that we encounter is the fact that we run into  
29 a difference of opinion by the individual pilots as to the  
30 periods when ships might be docked inward or shifted from







1 berth to berth. This is somewhat due, maybe, to the fact  
2 that the pilot that is to perform the job is not present  
3 at the pilotage office when the inquiry is made. We  
4 might get one source of information from the man that  
5 wishes to be helpful, but it is not his turn, possibly,  
6 to do the job, and when the other pilot comes on we find  
7 there is quite a variance in the time elements for  
8 docking and shifting and so on.

9 Of course, the tidal situation has been  
10 very fully covered by Mr. McKelvey, I think, yesterday,  
11 and we also have another very pertinent situation. We  
12 are very rigidly controlled by the times that we can get  
13 labour for working ships. We have only two periods  
14 during the day and one period during the night. Eight  
2 15 o'clock in the morning, 1 p.m. and 7 p.m. For 8 a.m. we  
16 must order the night before at 4.30. At 1 p.m. we must  
17 order by 11 a.m., and for 7 p.m. we must order by 4  
18 o'clock.

19 Q. So you must be sure a few hours  
20 beforehand at what time your ship will be ready to work?

21 A. Yes.

22 Q. I was given to understand by you  
23 this morning that other matters such as pilotage rates  
24 will be provided by the Shipping Federation in Montreal.

25 A. That is correct, sir.

26 MR. JACQUES: Thank you, sir.

27

28 CROSS-EXAMINATION BY MR. McKELVEY:

29 Q. Just a few questions, Mr. Kane,  
30 Your Lordship. Mr. Kane, you mentioned, as I understand





1 it, this system of what we have been calling movement  
2 control has been found unsatisfactory in that you do not  
3 always get to speak to the pilot who is on duty the day  
4 your ship is coming in.

5 A. Somewhat; and the difference of  
6 opinion, I think, between the pilots themselves.

7 Q. Yes?

8 A. For instance, we have not a parti-  
9 cular case to cite or dates or the names of vessels, but  
10 I know of an instance within the last two or three weeks  
11 when a ship was to be shifted from around Pier 10 to 2 or  
12 7, and at one time the information was given that the ship  
13 would be shifted at 5 o'clock. Later they were told they  
14 couldn't shift it until 7.30. There is a 7 o'clock order  
15 period in between there, which would be very important if  
16 that ship wanted to work that night.

17 Q. You agree with me this type of  
18 information in this port as to when ships may be moved  
19 and so forth would have to be given by either a pilot or  
20 somebody with qualifications of a pilot?

21 A. That is right. It should be.

22 Q. It should be? I am just wondering ---

23 A. I think we have been running on a  
24 great deal of hit and miss, but we have been hitting more  
25 than we have been missing.

26 Q. I am just wondering if you can make  
27 any suggestions as to how this can be improved because I  
28 would like to say in connection with this question that  
29 the pilots are most interested in doing the best they can  
30 to provide service, and I am just wondering how you







1 overcome this problem of difference of opinion between  
2 pilots on a thing of this nature. In other words, can  
3 you suggest any remedy to these things?

4 A. Probably greater cohesion between  
5 the Saint John authority and probably the National Harbour  
6 Board authority.

7 Q. How would that improve the situation?

8 A. If some central agency had authority  
9 between the two that would control the situation. We  
10 might be told as agents for the ship a ship would be  
11 shifted at a certain period, we could dock at a certain  
12 period and we could sail at a certain period.

13 Q. If you were going to move a ship  
14 this coming Monday, this being Friday, due to the current  
15 conditions would I be correct in suggesting that the  
16 pilot who was going to do that job is about the only one  
17 who is able to say that I can move your ship at a certain  
18 time?

19 A. No. No, I think the pilot might  
20 say to us, "If I were doing the job" - which is often  
21 told us - "I would do this," but that does not say that  
22 the actual pilot who is going to perform the job - for  
23 instance, last Sunday we had a very deep draught ship,  
24 30 feet, 6 inches coming in, and she was running a day  
25 late. We intended she would be here on Sunday. There is  
26 a different pilot on for Sunday and the ship coming on  
27 Monday, and there was another pilot coming on Monday.

28 Q. I do not see how you overcome the  
29 problem.

30 A. That is some of the problems that







1 exist. I do not think I can qualify or say just how it  
2 could be overcome, but some of the difficulties we are  
3 labouring under here today.

4 Q. I do not think this is desirable -  
5 I am not suggesting that - but you could, in this port,  
6 say that it is a tidal port and all our vessels are  
7 going to be moved within two hours before the hour and  
8 two hours after; that would solve that particular problem,  
9 would it not?

10 A. No, I think the tug situation is  
11 probably a most important one.

12 Q. Tugboats?

13 A. The availability of tugs, which is  
14 being somewhat controlled now by the pilots through their  
15 own insistence, I would say, or through their own sugges-  
16 tions.

17 COMMISSIONER SMITH: How many tugboats are  
18 available?

19 THE WITNESS: I would say three, most of the  
20 time and possibly four. Is that correct? Three. There  
21 are others available, Mr. Smith, but they have not been  
22 utilized. The pilots have not seen fit to use those  
23 particular tugs that are operating in Courtenay Bay on  
24 these tankers. They are owned by Mr. Irving.

25 Q. Do I understand you to say problems  
26 arise due to the fact you cannot always contact the  
27 pilot who is on duty that is going to be on duty that day?  
28 That is, you call the pilot room and he is not there?

29 A. Sometimes there is only an answering  
30 service.

31 Q. That is at night?





1 A. It may be at night. It has  
2 happened through the summer. Isn't there an answering  
3 service in the summer?

4 Q. Well, the solution to that, of  
5 course, would be for all the pilots to be in the pilot  
6 room all the time.

7 A. Somebody qualified, because you may  
8 have an accident at night. You may have a ship in  
9 trouble at night, and you know how quickly you can get a  
10 blow - you are a qualified seaman on inland waters your-  
11 self - you know how soon these things come up very quickly.

12 Q. To answer your problem it would not  
13 be satisfactory to have a pilot on duty in the pilot room  
14 at all times, would it, because you would have to have  
15 the pilot who is going to be on duty the day that you want  
16 the job done; is that right?

17 A. Yes, if there is going to be a  
18 difference of opinion between the man that is going to  
19 give you information, even if he is on duty and the man  
20 who is actually going to bring the ship in. If we are  
21 going to set up a standard - I do not say we should have  
22 a rigid standard that we can move ships at a certain  
23 time because oftentimes we do not want to dispense with  
24 the pilot that will bring the ship in where the other one  
25 wouldn't. Sometimes that helps us very materially.

26 Q. You talk about a difference of  
27 opinion. You are not suggesting there is anything wrong  
28 with this difference of opinion?

29 A. It is the individual pilot's opinion  
30 and we expect it and we accept it.







1 Q. It does create problems?

2 A. But it does create problems, yes.

3

4 CROSS-EXAMINATION BY MR. LANGLOIS:

5 Q. Mr. Kane, how often do you have  
6 these differences of opinion?

7 A. How long have they existed?

8 Q. How often? How frequently?

9 A. I am not prepared to say that. We  
10 did not come here prepared, I must admit, as I told Mr.  
11 Jacques, with any actual facts on dates or names of  
12 steamers or when these different situations arose. It  
13 does happen very often, I would say, in a general way.

14 Q. Would you say once a month or  
15 twice a month?

16 A. I would say so at least.

17 Q. Once a month? Now, these differences  
18 of opinion, are they exclusively between pilots or between  
19 the shipping people and the pilots, or even the tug  
20 masters?

21 A. We have lots of differences of  
22 opinion in our own business, yes, but we do not enter into  
23 the question of what other people are doing. We have  
24 enough to do to try to keep our own skirts clean.

25 Q. You mentioned that one of the solu-  
26 tions to the problem might be to have a pilot on duty or  
27 at least available at all times.

28 A. A pilot or qualified person.

29 Q. Have you ever requested of the

30





1 Department to provide such a man?

2 A. I do not believe we ever have, no.  
3 We may have mentioned it to the individual pilot or we  
4 may have mentioned it to the superintendent. I have no  
5 record.

6 Q. Have you not, in the past, Mr.  
7 Kane, asked the Department to have a pilot on duty in the  
8 office at all times?

9 A. Have we requested it?

10 Q. Yes.

11 A. No, not officially, I don't believe.

12 Q. You say "not officially." Have you  
13 done it unofficially?

14 A. I may have mentioned it to the  
15 pilots, but I am not positive at this time. I think it  
16 has all been discussed at different times.

17 Q. Is it not possible, Mr. Kane, when  
18 you refer to these differences of opinion between pilots  
19 that in some cases the pilots did not agree amongst them-  
20 selves because in the meantime from the time you got the  
21 first advice or the first notice that your ship will be  
22 taken in or docked or shifted at such an hour, that the  
23 weather conditions had changed in the meanwhile?

24 A. It could, or the ship could be late  
25 and another pilot could be involved.

26 Q. So we cannot call that a difference  
27 of opinion if the circumstances changed in the meantime?

28 A. No. I am saying that the times  
29 that we do have a difference of opinion - as I say, one  
30 arose not more than two weeks ago in the shifting of a







1 ship. One pilot, and he may be correct, he said he would  
2 move the ship at 5 o'clock, but when it came to the actual  
3 pilot that was to do the job, he said it would be 7.30.  
4 I think eventually it was 5 o'clock.

5 Q. Did you inquire what was the  
6 reason?

7 A. It was not my ship. It was just  
8 brought to my attention.

9 Q. Do you know personally any of the  
10 facts about what happened? Do you know the reason why  
11 the ship was delayed?

12 A. No, I do not.

13 Q. But it could have been weather  
14 conditions?

15 A. I do not think it was weather  
16 conditions.

17 Q. It could have been a factor outside  
18 of the pilot's control?

19 A. I haven't the facts, the details  
20 or the ship or the date.

21 MR. LANGLOIS: Thank you, Mr. Kane.

22

23 RE-DIRECT EXAMINATION BY MR. JACQUES:

24 Q. Do I take it from your evidence  
25 that at times there are differences of opinion between  
26 pilots as to what time the ship should be moved, disregar-  
27 ding weather conditions, whether she is late or not?

28 A. It might be a tidal proposition we  
29 are subject to.

30 Q. Can you tell me what is the deepest





1 draught cargo ship that you had here last year?

2 A. Well, I think the one we had just  
3 over the weekend is the deepest draught. She was drawing  
4 30 feet, 6 inches aft.

5 Q. What cargo?

6 A. Sugar.

7 Q. 30 feet, 6 inches?

8 A. Yes. We asked him, in view of the  
9 fact he was very deep - he was 28 feet, 6 inches and 30  
10 feet, 6 inches, and we asked him if he couldn't make it  
11 on even keel, and I think he did trim the ship to 29  
12 feet, 6 inches, but I am sure the pilotage card calls  
13 for 30 feet aft. This was on this past Monday.

14 Q. It was said frequently that this  
15 is a tidal harbour, that there are tidal wharves and  
16 tidal berths, and that the ships can only be moved at  
17 certain times during the day in relation to high water.  
18 Is that correct?

19 A. Not all. We have the period that  
20 we consider on the face of the wharf, three piers on  
21 Pugsley, 10 and 11, and the sugar refinery, depending on  
22 the draught of the ship we get in and out at all stages,  
23 depending on the draught of the ship.

24 MR. JACQUES: Thank you very much.

25 THE CHAIRMAN: Have you any further  
26 questions? Thank you very much, Mr. Kane.

27 MR. JACQUES: I should like to hear the  
28 harbourmaster at this moment in order to free him so  
29 that he can go back to his duty. Captain Griffith, please.

30







1 CAPTAIN HARRY GRIFFITH, sworn

2 DIRECT EXAMINATION BY MR. JACQUES:

3 Q. What is your name, sir?

4 A. Harry.

5 Q. How old are you, sir?

6 A. 55.

7 Q. What is your occupation?

8 A. Harbourmaster, Saint John.

B/dpw 9 Q. How long have you been harbour-  
10 master, sir?

11 A. Six years, more or less.

12 Q. Would you outline briefly to the  
13 Commission what your duties are as harbourmaster?

14 A. Mainly to allocate the berths to  
15 the ships that are coming in or are going out and re-arran-  
16 ging another berth. The agent calls me up and says the  
17 S.S. So-and-So is due on the 17th with so much cargo, and  
18 we discuss which berth will be best for the ship and we  
19 agree the vessel will go to such-and-such a berth.

20 Q. In your job do you set the time or  
21 the location of movages in the harbour?

22 A. Not time, location. There may be  
23 a ship in that berth. Naturally the berth has to be  
24 empty. If there were two ships on side and two empty  
25 berths I wouldn't direct which one comes first. I think  
26 on one or two occasions I have called the pilots and said  
27 the agent says it is very important to get this ship in.  
28 It is sort of an emergency and I have called the pilot  
29 and asked him to do it, but not more than twice.

30 Q. Now, in your duties, again, do you





1 set the time at which the ship must dock or undock or  
2 leave the berth?

3 A. No, not the time, no.

4 Q. Not the time?

5 A. No.

6 Q. Just the place where she should  
7 dock?

8 A. That is right.

9 Q. You don't care when she docks?

10 A. I care very much.

11 Q. You care to know?

12 A. I care to know and I care that she  
13 is put there as early as possible because the earlier  
14 she is there the earlier the other ship will get in.

15 Q. Good, thank you. You have been  
16 in court yesterday and you have heard the evidence?

17 A. No, I wasn't here.

18 Q. Are you familiar with the existing  
19 custom in Saint John to the effect that the pilots get  
20 in touch directly with the agents or ship masters in  
21 order to establish the time the ship will come in or  
22 leave or move?

23 A. Yes, I realize that. I realize  
24 the agent always calls the pilot to discuss the berthing,  
25 the actual bringing the ship in.

26 Q. As harbourmaster are you satisfied  
27 with that set-up?

28 A. It doesn't really interfere with me  
29 at all except that I periodically get an agent complaining  
30 that he missed the tide or such-and-such a ship got in







1 before his ship got in, but it is strictly outside my  
2 jurisdiction to say which ship will come at which stage  
3 of the tide. I don't even know the details.

4 MR. JACQUES: Thank you.

5

6 CROSS-EXAMINATION BY MR. LANGLOIS:

7 Q. Mr. Griffith, have you had any  
8 sea experience in this harbour here?

9 A. In this harbour, yes, sir; I was  
10 serving on the tugboats here for eight months, or some-  
11 thing like that.

12 Q. Eight months. How long ago was  
13 that?

14 A. 1953, perhaps, in that area.

15 Q. Do you think, Mr. Griffith, that  
16 you have had sufficient experience to take upon yourself  
17 to advise the ship agents as to the time their ships  
18 should be taken in and out of this port or shifted from  
19 one berth to another?

20 A. No, sir.

21 Q. You would rather leave that with  
22 the qualified men like the pilots?

23 A. That is what the pilots are for.

24 MR. LANGLOIS: Thank you, sir.

25 COMMISSIONER SMITH: If Your Lordship  
26 pleases I would like to ask the witness a question. On  
27 page 13 of the submission of the Pilots' Committee I  
28 read this, taking it out of the main context: "Thus the  
29 pilots function as a sort of 'movement control' for the  
30 harbour, a function performed in other ports by the





1 harbourmaster's or some other office."

2                   The question was raised yesterday, I  
3 think by me, that there seemed to be an overlapping of  
4 the duties and responsibilities of the harbourmasters on  
5 the one part and the pilots on the other. I want to say  
6 now, as I said yesterday, that I am not questioning the  
7 virtue of the present system and I think from the stand-  
8 point of safety and from the standpoint of speed, and  
9 perhaps from the standpoint of economy, the system that  
10 is now in operation may be the best, but if there is any  
11 such thing as overlapping of duties and responsibilities  
12 then the rule should be changed, the Act should be  
13 changed and the responsibilities of the individual units  
14 should be kept in their proper groove. Have you any  
15 comment to make on that or can you elaborate further on  
16 that phase?

17                   THE WITNESS: The position where the  
18 harbourmaster would direct the movement of the ships at  
19 a certain time are in areas only where conditions in the  
20 port are always the same. If we always had the same ebb  
21 flow out of the river here and so on, well, I would  
22 probably, as harbourmaster, be able to direct such-and-  
23 such a ship at such-and-such a time. Whereas the condi-  
24 tions change all the time not being a pilot I would be  
25 very foolish to express an opinion on what ship should  
26 move because I don't know the conditions. I am in  
27 exactly the same position as the master of the ship who  
28 comes in and asks for a pilot. I know as much about the  
29 harbour as the masters of the ships. I am not a  
30 specialist.







1 COMMISSIONER SMITH: You must be familiar  
2 with the operations in other ports similar to Saint John.  
3 Would the harbourmaster's duties, for example, in the  
4 port of Halifax, be somewhat different from the duties  
5 of the harbourmaster here?

6 THE WITNESS: I don't think so.

7 COMMISSIONER SMITH: Could be much the  
8 same?

9 THE WITNESS: I have never discussed it  
10 with the harbourmaster there. I know him. I never  
11 discussed it, but I understand they work the same as we  
12 do.

13 COMMISSIONER SMITH: Thank you very much.

14

15 CROSS-EXAMINATION BY MR. McKELVEY:

16 Q. One question, Captain Griffith:  
17 in that event there is no overlapping in Saint John  
18 between the duties of your office...

19 A. I meant to say there is no over-  
20 lapping. There is a certain amount of overlapping which  
21 is - the other night a pilot had lost touch with the  
22 agent and he called me and said the Portos is out there  
23 at anchor and on the board to be docked at No. 5. I  
24 said, "What did the agent tell you?" He said, "I can't  
25 find out." I told him the berth is allocated to the  
26 Portos when the Nevada Maru has sailed. There is an  
27 overlapping, but it isn't an overlapping where it causes  
28 any difficulties at all. I don't think so.

29 COMMISSIONER SMITH: No overlapping of  
30 duties?





1 THE WITNESS: No, I don't think that there  
2 is, no.

3 Q. Would it be correct to say you  
4 work together and correlate?

5 A. I would think so, yes.

6 THE CHAIRMAN: Would it be right to sum  
7 up this way: you order the move, but the way the moves  
8 are done, you leave that to the pilots?

9 THE WITNESS: That is right, sir.

10 Q. And also the time?

11 THE CHAIRMAN: Yes, the way it is done.  
12 He orders the move.

13 THE WITNESS: We often confer about  
14 certain problems like two ships on berth and one is a  
15 hang-over, not very comfortable, but it is a case the  
16 port happens to be full and we have to squeeze in. Some-  
17 times we have conferences, the pilot calls me up and we  
18 discuss it. We are not split into two authorities that  
19 don't speak, or anything like that.

20 MR. JACQUES: Thank you very much.

21 MR. McKELVEY: Have you any more witnesses?

22 MR. JACQUES: I have no one else that is  
23 in a hurry.

24 MR. McKELVEY: Your Lordship and gentlemen,  
25 I have one further witness I would like to call. I call  
26 Captain Conley.

27  
28 CAPTAIN ARTHUR R. CONLEY, sworn

29 DIRECT EXAMINATION BY MR. McKELVEY:

30 Q. Would you give your name, age and







1 address?

2 A. Arthur R. Conley, 65 age.

3 Q. Your address?

4 A. Fairvale, King's County, New  
5 Brunswick.

6 Q. What qualifications do you hold?

7 A. Master's, coasting, passenger,  
8 steam and fore and aft sail.

9 Q. Captain Conley, you are master of  
10 the Princess Helene?

11 A. That is right.

12 Q. And the Princess Helene is a  
13 Canadian Pacific steamship ferry operating on a regular  
14 route between the port of Saint John and Digby, Nova  
15 Scotia across the bay?

16 A. That is right.

17 Q. Bay of Fundy?

18 A. That is right.

19 Q. Your vessel runs regularly from  
20 Saint John to Digby in the morning?

21 A. That is right.

22 Q. Returning in the evening?

23 A. That is right.

24 Q. This is a regular service six days  
25 a week throughout the year?

26 A. With the exception of three summer  
27 months. In the summer we run seven trips.

28 Q. Three months in the summer it is  
29 seven days and the other period of the year it is a six-  
30 day service?





1 A. Yes.

2 Q. Captain, how long have you been  
3 master of the Princess Helene? How long have you been  
4 on the Princess Helene?

5 A. I have been on the vessel since  
6 1932. I have been master since October, 1946.

7 Q. 19--?

8 A. 1946.

2 9 Q. Captain Conley, I suppose you know  
10 something about Saint John Harbour?

11 A. I have managed to get by.

12 Q. Captain, did you hear the evidence  
13 given yesterday by Pilot Quinn regarding the tidal and  
14 current conditions in this harbour?

15 A. I did.

16 Q. What are your comments on the  
17 testimony given by Pilot Quinn?

18 A. I think he covered it very well  
19 and I agreed with it.

20 Q. You agreed with his comments on the  
21 difficulties of navigating in this harbour?

22 A. I did.

23 Q. Have you read the brief submitted  
24 on behalf of the Saint John pilots to this Commission?

25 A. I did.

26 Q. Do you agree with the contents of  
27 that brief?

28 A. Yes.

29 Q. Would you describe the port of  
30 Saint John as a safe port?





1 A. I would think with a qualified  
2 seaman using it, but it isn't a place for an amateur.

3 MR. JACQUES: No place for --?

4 THE WITNESS: An amateur, or a man  
5 unacquainted with the various tidal conditions we  
6 experience.

7 Q. When you refer to a qualified man  
8 you mean the person in charge of navigating the vessel?

9 A. That is right.

10 Q. From your experience with this  
11 port would you say, suggest, that ships should not be -  
12 there should not be compulsory pilotage? That any master  
13 holding a master's ticket could come in here by himself?

14 A. No, I don't think that is safe for  
15 a master that is not well acquainted to come in without  
16 a pilot. As a matter of fact, I am one of the few that  
17 don't use a pilot on my regular service, but if I have  
18 occasion to go to Courtenay Bay to dry dock and twice I  
19 have gone to the west side, with the hurricane threats  
20 and I have engaged a pilot myself each time.

21 Q. When you move away from your own  
22 berth you yourself use a pilot?

23 A. I use a pilot.

24 MR. McKELVEY: No further questions.

25

26 CROSS-EXAMINATION BY MR. LANGLOIS:

27 Q. What is the size of your ship?

28 A. 4,000 gross.

29 Q. Length?

30 A. 343 feet.







1 Q. Beam?

2 A. 52.

3 Q. What is her draught?

4 A. Fully loaded, her draught is  
5 seventeen, six.

6 MR. JACQUES: What is her speed?

7 THE WITNESS: Her cruising speed,  $16\frac{1}{2}$   
8 knots.

9 Q. She is equipped with radar?

10 A. Yes.

11 Q. D/F?

12 A. Yes.

13 Q. Echo sounder?

14 A. Yes.

15 Q. Can you tell the Commission about  
16 the effectiveness of radar as an aid to navigation  
17 coming in or out of this port?

18 A. It is as an aid. It is only an  
19 aid.

20 Q. How much reliance would you place  
21 on it?

22 A. No, definitely not.

23 Q. None?

24 A. As I said before it is an aid, but  
25 I wouldn't rely on it completely, no.

26 Q. Would you also tell the Commission  
27 about the effectiveness of an echo sounder, taking into  
28 account the heavy tidal currents that you encounter in  
29 this port?

30 A. No, I don't find them too





1 satisfactory, the echo sounder.

2 Q. What about the D/F? Is it effec-  
3 tive? Is it useful?

4 A. It is effective. I find coming  
5 into Saint John the beacon is very good. I have had no  
6 satisfaction with it on the other side, approaching  
7 Digby. I don't get a proper bearing.

8 Q. Which beacon is that on the other  
9 side?

10 A. There is none. I use Saint John  
11 as a stern bearing. The beacon is on Partridge Island.

12 Q. You are referring to Partridge  
13 Island?

14 A. That is right.

15 MR. LANGLOIS: That is all, thank you,  
16 Captain.

17

18 RE-DIRECT EXAMINATION BY MR. McKELVEY:

19 Q. I wonder, Your Lordship, if I  
20 might ask a question? I think, perhaps, that the  
21 Commission may not have it clear when the Captain is  
22 referring to the effectiveness of these radio aids.  
23 You refer to a beacon, Captain?

24 A. That is right.

25 Q. Is that beacon on Partridge  
26 Island?

27 A. On Partridge Island.

28 Q. In this respect you find it effec-  
29 tive when you go into the harbour?

30 A. That is right.







1 Q. From Digby?

2 A. From Digby.

3 Q. Generally, your course at that  
4 time would be north?

5 A. We are heading directly on the  
6 beacon.

7 Q. You are right on the beacon?

8 A. That is right.

9 Q. You said something about it not  
10 being satisfactory on the other side. Perhaps you  
11 might explain it. I don't think the Commission, perhaps,  
12 may be clear on that.

13 A. I find it has an error anywhere  
14 from 12 to 15 degrees as a stern bearing, and that is  
15 why...

16 Q. That is when you are going to  
17 Digby?

18 A. Going to Digby.

19 Q. You find it is 12 degrees or so  
20 off?

21 A. That is right. Within ...

22 Q. You find this when you are near  
23 this side or when you are on the approaches to Digby?

24 A. On the approaches to Digby.

25 Q. Is it accurate, say, on the north  
26 half of the Bay of Fundy?

27 A. No, not right on, no, it isn't.

28 Q. How far off would it be?

29 A. It may be, say, halfway across,  
30 that is 15 miles from Partridge Island, from 15 miles





1 from Partridge Island it develops an error.

2 Q. So the Partridge Island beacon has  
3 an error beyond the range of 15 miles?

4 A. That is right. I find it so in my  
5 case. That is going away, taking a stern bearing. I  
6 find it correct heading from Digby.

L/dpw 7 Q. It is correct if you are heading  
8 into Saint John?

9 A. That is right.

10 Q. But if you are taking a stern  
11 bearing after 15 miles, there is an error?

12 A. Yes.

13 Q. Now, what sort of a radio installa-  
14 tion was it that they had a few years ago at Red Head  
15 for taking a bearing on vessels?

16 A. We could call Red Head and they  
17 gave us a bearing on our ship in relation to the wireless  
18 station at Red Head.

19 Q. Would that be called a coastal  
20 D/F station?

21 A. That is right.

22 Q. And it differs from a beacon?

23 A. With a beacon the ship takes her  
24 own bearing off the beacon. They give you your signal  
25 and you take your bearing.

26 Q. A beacon is a radio signal emitted  
27 from a transmitter, in this case Partridge Island, at  
28 regular intervals, and you take a bearing to your ship  
29 on that beacon?

30 A. Yes.





1 Q. And that runs at regular intervals  
2 all day?

3 A. Yes.

4 Q. The coastal D/F station, you call  
5 up Red Head radio and he takes a bearing on you and  
6 tells you what it is?

7 A. Yes.

8 Q. Is this station at Red Head now  
9 in operation?

10 A. No, it isn't. Well, the station  
11 is in operation, but they refuse to give any bearings,  
12 only in an emergency.

13 Q. Would you care to comment on that?  
14 Did you use this D/F station when it was in use?

15 A. Yes, I did.

16 Q. Would you express any opinion as  
17 to whether it should be put back into service?

18 A. I feel that it should, definitely.

19 Q. Why?

20 A. Well, in the event of radar failure,  
21 we have nothing left; and particularly in my case on the  
22 south side of the bay going to Digby there is nothing to  
23 work with then except compasses.

24 Q. So you would recommend, then, that  
25 it would be put back into operation?

26 A. I would strongly recommend that.

27 Q. Is it more reliable for plotting  
28 your position than the Partridge Island beacon?

29 A. It is going south, yes.

30 Q. Captain, perhaps you might tell







1 the Commission ---

2 THE CHAIRMAN: Excuse me for interrupting  
3 you, but I am wondering whether all this question about  
4 that beacon or the radio station has anything to do with  
5 pilots.

6 MR. McKELVEY: Yes, it does, Your Lord-  
7 ship.

8 THE CHAIRMAN: Because it seems to be out  
9 of range of the pilotage limits.

10 MR. JACQUES: I have Exhibit 26, psir, and  
11 I think if you saw where the beacons are it may illus-  
12 trate the questions. This is Partridge Island.

13 THE CHAIRMAN: Oh, inside, yes.

14 MR. JACQUES: Both are inside pilotage  
15 waters.

16 MR. McKELVEY: This refers to Schedule  
17 "D" which I filed yesterday. We suggested that this  
18 station at Red Head radio should be again placed in  
19 operation.

20 Q. Captain, perhaps you could tell  
21 us something about what radio aids are available in the  
22 general area of the port of Saint John?

23 A. Well, as far as I know, the only  
24 ones that I have occasion to use is Red Head and the  
25 beacon on Partridge Island.

26 Q. And Red Head is no longer in opera-  
27 tion except in an emergency?

28 A. Yes, that is right.

29 Q. So the only navigational aid that  
30 is available is Partridge Island and the beacon?





1 A. That is right.

2 COMMISSIONER SMITH: Captain, apart from  
3 the question of the pilotage, would you have any  
4 recommendations to make with regard to any other aids  
5 to navigation for this port?

6 THE WITNESS: Well, as far as our service  
7 is concerned, and myself, restoring the D/F bearings  
8 from Red Head for our own station.

9 COMMISSIONER SMITH: That is what you  
10 mentioned before?

11 THE WITNESS: Yes.

12 COMMISSIONER SMITH: No others?

13 THE WITNESS: That is right.

14 COMMISSIONER SMITH: Thank you.

15  
16 CROSS-EXAMINATION BY MR. JACQUES:

17 Q. You have a radar on your ship,  
18 Captain?

19 A. That is right.

20 Q. What sort?

21 A. Marconi.

22 Q. How long have you had your radar?

23 A. Four years.

24 Q. Before that did you have a radar?

25 A. We had 268, I believe they call  
26 them.

27 Q. War service?

28 A. War service, yes.

29 Q. It wasn't very good, was it?

30 A. Well, not the best, no.







1 Q. What is the maximum range of your  
2 present radar?

3 A. 30 miles.

4 Q. What is the closest range that  
5 you have on your radar?

6 A. Quarter of a mile.

7 Q. During the past year how many  
8 times has it failed?

9 A. Oh, offhand I couldn't tell you  
10 that. I suppose probably four or five times.

11 Q. Do you have your radar switched  
12 on all the time, whether it is foggy or not?

13 A. No.

14 Q. When do you switch it on?

15 A. Coming down in the dark to Saint  
16 John and when visibility is reduced.

17 Q. You also have an echo sounder?

18 A. Yes.

19 Q. What make?

20 A. Hughes-Owens.

21 Q. Is it a recorder with a tracer  
22 and a paper?

23 A. Yes.

24 Q. Do you switch it on when you enter  
25 Saint John Harbour?

26 A. In poor visibility, yes, reduced  
27 visibility.

28 Q. So when it is clear you don't  
29 use it?

30 A. No.





1 Q. What is the use of an echo sounder  
2 in Saint John Harbour, sir?

3 A. Well, it gives the depth of the  
4 water under the ship.

5 Q. Would there be any other use?

6 A. Not that I would use it for, no.

7 Q. Captain, I am showing you a chart  
8 of Point Lepreau to Cape Spencer, showing approaches to  
9 Saint John Harbour, and you note here is Partridge Island?

10 A. Yes.

11 Q. And this is the D/F station to which  
12 you refer?

13 A. Yes.

14 Q. Now, both are evidently well inside  
15 pilotage waters?

16 A. That is right.

17 Q. When do you stop to have good  
18 bearings from these stations as you come in?

19 A. Well, I start on this beacon about  
20 15 miles from Partridge Island.

21 Q. What distance from seaboard do you  
22 stop taking bearings?

23 A. When I pick up this bell buoy.

24 Q. That is bell buoy J44?

25 A. Yes, that is right.

26 Q. That is when you stop taking  
27 bearings?

28 A. That is right.

29 Q. How many bearings an hour do you  
30 take on these two beacons or radio aids, I should say?





1 A. Well, I start taking one about 15  
2 minutes, maybe three or four miles off, and take one  
3 every three or four minutes.

4 Q. How many bearings do you take  
5 between Black Point buoy and Partridge Island buoy?

6 A. A couple. I am only six minutes  
7 coming in.

8 Q. It is only a six-minute run?

9 A. That is right.

10 Q. If these beacons are not accurate  
11 on stern bearings would it affect your entering or leaving  
12 Saint John Harbour?

13 A. No.

14 Q. You said your echo sounder wasn't  
15 any good, you were not satisfied with it; I am not too  
16 sure of your expression. Would you elaborate on that?

17 A. Well, I am satisfied with the echo  
18 sounder as far as that goes, yes. But it gives you the  
19 depth of water under the ship only, not what I am  
20 approaching.

21 Q. But does it do that satisfactorily?

22 A. Yes.

23 THE CHAIRMAN: You also said that the  
24 radar which you switch on only when there is fog and  
25 when visibility is not good is an aid but cannot be relied  
26 upon other than that. Would you elaborate on that?

27 THE WITNESS: You are always keeping in  
28 mind that that radar is subject to failure.

29 COMMISSIONER SMITH: Mechanically?

30 THE WITNESS: Mechanically. You have to be







1 prepared to take over without it. That happens.

2 THE CHAIRMAN: But when it is in good  
3 order?

4 THE WITNESS: Oh, it is a valuable aid.

5 Q. Captain, have you taken courses in  
6 the use of radar and interpretation of radar?

7 A. I don't just get you. What is that  
8 again?

9 Q. Have you ever taken courses on  
10 radar or interpretation of the information obtained from  
11 radar?

12 A. Courses? You mean instructions?

13 Q. Yes.

14 A. Yes.

2 15 Q. Where did you take it?

16 A. The vocational school.

17 Q. When?

18 A. Myself and officers every two years  
19 take a refresher course.

20 Q. Every two years you take a refresher  
21 course?

22 A. That is right.

23 MR. JACQUES: Thank you, sir. I have no  
24 further questions, My Lord.

25 THE CHAIRMAN: We are going to adjourn for  
26 about five minutes.

27  
28 --- Short Recess  
29

30 MR. McKELVEY: My Lord and gentlemen, I





1 have no witnesses to call now, but Mr. Langlois has a  
2 witness which I will use to complete our case. Mr.  
3 Cobham.

5 RONALD V. COBHAM, sworn

6 DIRECT EXAMINATION BY MR. LANGLOIS:

7 Q. Mr. Cobham, would you please state  
8 your name, address and age?

9 A. Ronald V. Cobham; the address,  
10 Milledgeville, City of Saint John; age, 58.

11 Q. What is your occupation?

12 A. Pilot in the port of Saint John.

13 Q. How long have you been a pilot?

14 A. 1931.

15 Q. Would you give the Commission your  
16 qualifications and your sea experience?

17 A. My sea experience, I had seven  
18 years under sail, three years under steam and the balance  
19 of my time as a pilot in the port of Saint John.

20 Q. Six years was in what capacity?  
21 What were you doing?

22 A. I was making sail and making steam  
23 when I finished my time at sea.

24 Q. Was that in home trade waters?

25 A. Both, foreign-going and home trade.

26 Q. Do you hold any certificates?

27 A. I do.

28 Q. Which certificates do you hold?

29 A. Mate's coastwise, 13072, steam and  
30 sail.







1 Q. Have you served any apprenticeship  
2 before you became a pilot?

3 A. Yes, five years.

4 Q. What age were you when you began as  
5 a pilot?

6 A. 28.

7 Q. Would you say this is the average  
8 age at which a pilot is normally certificated as such?

9 A. Well, I would say in that vicinity.

10 Q. Now, have you served as a temporary  
11 pilot in the Saint John Harbour?

12 A. One year.

13 Q. Do all pilots serve as temporary  
14 pilots before they become regular pilots?

15 A. They do.

16 Q. Now, you have listened yesterday  
17 to the testimony given by Pilot Quinn. Would you tell  
18 the Commission as to whether or not you agree with what  
19 he had to say in connection with the conditions generally  
20 speaking of the harbour here?

21 A. I generally agree. The years I  
22 have had handling ships in this port, sometimes I deviate  
23 clear of the rest of the pilots in regards to movements.

24 Q. In what way?

25 A. I may go a lot earlier with a ship  
26 and I may go later. Actually there is some ships I have  
27 known for years and I know their peculiarities, and  
28 certainly it helps me a great deal.

29 Q. So you do not, if I understand you  
30 correctly, go by these two hours before the tide, the





1 flood tide, and two hours after the flood tide periods?

2 A. Well, it is according to weather  
3 conditions. If the weather conditions are not favourable  
4 I do stick to the two hours.

5 Q. Would the size and particulars of  
6 the ship influence your decision in this respect?

7 A. Oh, yes.

8 Q. Would you say that this period  
9 could also be extended depending upon the experience,  
10 the length of experience of the pilot?

11 A. Would you please repeat?

12 Q. Would you say that this period  
13 during which you think it is safe to take a ship in or  
14 out of this harbour would depend on the experience of the  
15 pilot?

16 A. I would say so.

17 Q. Now, who normally handles the ship,  
18 any ship being taken in or out or being shifted within  
19 your pilotage district here?

20 A. Oh, the pilots handle the ship.

21 Q. Do you mean by that the pilot takes  
22 over from the master?

23 A. No, the master is obviously in  
24 command, but I have been aboard ships that the master  
25 has mentioned to me that she is heading so-and-so and  
26 speed so-and-so, normally running, she is all yours.

27 Q. The master tells you she is all  
28 yours?

29 A. Yes.

30 Q. Do you give your orders direct to





1 the wheelsman?

2 A. At times I do, but the presence of  
3 the master or the officer of the watch is always there -  
4 they are always there with you.

5 Q. Do you order yourself which line  
6 should be put out first, which part of the ship ---

7 A. Well, as a rule I generally go with  
8 what the officer of the watch - as a rule I just generally  
9 pass that to the officer of the watch and he can do the  
10 telephoning fore and aft. That is not my job. I just  
11 advise him.

12 Q. For the benefit of the Commission  
13 and for the better understanding of your testimony, would  
14 you explain the watch system on a merchant ship?

15 A. The watch system? Just according  
16 to what type of ship it is, sir.

17 Q. Ocean-going ship.

18 A. Well, the chief officer is four  
19 to eight, a.m. and p.m.; the second officer has the  
20 middle watch and the third officer has the captain's  
21 watch from four to eight - I am sorry, the third officer,  
22 eight to twelve.

23 Q. Now, what about the wheelsman, the  
24 lookouts?

25 A. Well, they vary in some ships.  
26 Some have six and six and some have four and eight. They  
27 carry quartermasters only. Some ships operating in this  
28 port today have two and six; two on, six off. Various  
29 companies have different rulings with their seamen.

30 Q. What you have just said has to do







1 with the watches at sea. What about the watch system as  
2 the ship enters harbour? Is it the same?

3 A. Anchors outside, for instance?

4 Q. Yes, the harbour station.

5 A. Oh, well, they generally have a  
6 stand-by, a stand-by man and the officer of the watch on  
7 the bridge. They don't anchor.

8 Q. Who is on the bridge as the ship  
9 enters harbour? Who is on watch?

10 A. The master of the ship.

11 Q. Where is the chief officer?

12 A. What country?

13 Q. Here in Saint John.

14 A. What country? On a German ship  
15 the chief officer is on the bridge, and a British ship,  
16 the chief officer is on the foc'sle head.

17 Q. What about the second officer?

18 A. The second officer is stationed aft  
19 and the third officer stationed on the bridge. And other  
20 countries, they have different routines.

21 Q. Would you say it is a general rule,  
22 depending on the nationality of the ship, to have at  
23 least one lookout on the bridge while entering harbour?

24 A. Generally on the foc'sle head. An  
25 officer stationed on the foc'sle head while entering  
26 harbour.

27 Q. Now, do you handle the telegraph  
28 yourself or engine movements?

29 A. I have in emergency.

30 Q. But regularly?





1 A. Never.

2 Q. Who does?

3 A. The officer of the watch. Sometimes  
4 the captain might be closer and he might handle it himself.

5 Q. Have you had any example of the  
6 master of the ship taking over from you - when you gave  
7 orders to either the officer of the watch for engine  
8 movements or to the wheelsman for the steering of the  
9 ship, have you had an example in the past of the master  
10 giving a contrary order to yours?

11 A. Never.

12 Q. Am I to understand that as a general  
13 rule, as a matter of practice, the master lets you handle  
14 the ship as you please?

15 A. In this port, yes.

16 Q. Do you use aids to navigation when  
17 you take a ship in and out of this harbour?

18 A. Well, after radar was installed in  
19 ships, we used radar as an aid and aid only. I do not  
20 rely on radar.

21 Q. Why?

22 A. Well, numerous times, for instance,  
23 I was aboard one of the Union Castle ships one day and  
24 the master of the ship did not see the pilot boat on the  
25 radar until we were alongside it. We were fitted with a  
26 radar reflector but she was a wooden-hull vessel. We  
27 were in no hurry, so I let the pilot boat carry - I didn't  
28 know what distance she was away and I looked at the radar  
29 myself and I still couldn't pick her up. Fishing vessels  
30 outside, very seldom the radar will pick them up.







1 Q. Do you get back echoes on your  
2 radar screen while coming into the harbour here?

3 A. On ships - we have some ships that  
4 come in this port that you pick the wake of the ship up  
5 on the radar.

6 Q. You pick the wake up?

7 A. Yes.

8 Q. Would you then also pick up tidal  
9 rips?

10 A. And tidal rips. Rainstorms.

11 Q. Would you pick up ground swell,  
12 too?

13 A. No, you don't pick the ground swell  
14 up. The ground swell will distort your picture, for  
15 instance, entering a harbour, picking up buoys and so  
16 forth.

17 Q. Do you get much tidal rips here  
18 in Saint John?

19 A. Between Cape Spencer and Partridge  
20 Island you get two.

21 Q. Do you make use of the echo sounder  
22 or depth sounder?

23 A. I have.

24 Q. What is the purpose ---

25 A. I don't trust the echo sounder at  
26 all.

27 Q. What is that?

28 A. I do not trust an echo sounder,  
29 not in shoal water.

30 Q. Would you explain that?





1 A. Numerous times we have been coming  
2 in with supertankers, and in fact one occasion I had  
3 another pilot with me and also the marine superintendent  
4 from Perth Amboy. I had about 2 feet, 6 inches under the  
5 ship, and I was recording anywheres from two-and-three-  
6 quarters to three fathoms, and as we got up where the  
7 water deepened we had less water on the echo sounder. I  
8 don't trust the echo sounder.

9 COMMISSIONER SMITH: Was there some  
10 mechanical defect?

11 THE WITNESS: It happens in all ships  
12 going in Courtenay Bay. I won't say it is mechanical.  
13 It may be side echoes or whatever it might be. It doesn't  
14 give a proper reading.

15 Q. Wouldn't the water turbulence  
16 affect the correctness of the echo sounder?

17 A. Well, I don't think you would be  
18 going fast enough with these supertankers, on these  
19 particular ships.

20 Q. Would you not get water turbulence  
21 from this heavy current you are getting in this harbour?

22 A. Well, you would. That is, in  
23 shoal water you sure will.

24 Q. Is it not a fact that the manufac-  
25 turers of echo sounding machines recommend that the echo  
26 sounder receiver, the transducer be placed at a distance  
27 away from any spot on the hull of the ship where you  
28 could obtain water turbulence?

29 A. Yes. Some of the fishing vessels,  
30 for instance, had the transducer up in the bilge.





1 Formerly they had it close to the keel and it didn't work.

2 Q. Is it not a fact also they recommend  
3 that these transducers be placed away from seacocks?

4 A. That is right.

5 Q. So water turbulence has an effect?

6 A. It has an effect.

7 Q. On the correctness of soundings  
8 obtained by depth sounding?

9 A. Yes, they are also using the echo  
10 sounder for sounding our channels today. Personally I  
11 do not think they are any good. The reason why I say that,  
12 we had a sounding taken over at No. 3 to 4 berth, and had  
13 27 feet of water. This is a few years back when they  
14 first started here in Saint John. I had a ship and it  
15 was drawing 20, 22 feet, and I was aground in the middle  
16 of the slip, and I was supposed to have 27 feet. In fact,  
17 I was supposed to have 29. It was 2 feet above datum  
18 that day, and come to find out the echo was going through  
19 the soft pan and was not recording properly.

20 Q. Would the nature of the bottom of  
21 the river bed, the river bed itself, have any effect on  
22 the effectiveness of your sounding machine also?

23 A. Yes.

24 Q. What is generally the nature of  
25 the river bed here in Saint John Harbour?

26 A. Saint John Harbour, it is rock.  
27 It is rock and mud. It is rock on your port hand until  
28 you get up to the foul ground, buoy 54-J. You have mud  
29 on your port hand to 14 pier and rock on your starboard  
30 up to the Atlantic Sugar Refinery.







1 Q. Coming up Courtenay Bay what is  
2 the width of the channel?

3 A. 600 feet at the lower end.

4 Q. Is that the average width?

5 A. It is supposed to be 450 at the  
6 inner basin.

7 Q. Coming back to radar, are the  
8 buoys fitted with radar reflectors?

9 A. 1, 2 and 3 are fitted with radar  
10 reflectors.

11 Q. Would you please identify them?

12 A. 41-J, 43-J and 64-J, and we have  
13 beacons in Courtenay Bay channel.

14 Q. Do you think that you should have  
15 more radar reflectors on buoys than you have currently?

16 A. Yes, 54 and 51 should both have  
17 reflectors on them.

18 Q. Do you have ranges as aids to  
19 navigation in this harbour?

20 A. We did have.

21 Q. You did have? Where?

22 A. Courtenay Bay.

23 Q. What happened to them?

24 A. You couldn't see them in daylight.  
25 They were on a telegraph pole, and at nighttime either  
26 one light was out or the other. I don't think there was  
27 ever two on together.

28 Q. Would you think a good set of  
29 ranges, for instance, would be useful?

30 A. I would say a good set of ranges





1 on the first leg in Courtenay Bay would be useful.

2 Q. Would that be the only set you  
3 would recommend in this harbour?

4 A. Well, the other one in Courtenay  
5 Bay from the breakwater to the dry dock, they would be  
6 useful as well, but I don't know where they would place  
7 them.

/dpw 8 Q. Would you have any further sugges-  
9 tions to make as regards aids to navigation in this  
10 harbour?

11 A. Go a little beyond the harbour?

12 Q. Pardon?

13 A. Go beyond the harbour?

14 Q. Within the harbour - within your  
15 pilot district.

16 A. The radio beacon now on the  
17 southern tip of Partridge Island was formerly at the  
18 lighthouse, and after calibrating D/F at nighttime we  
19 had the lighthouse to use for visual bearings. Today we  
20 have nothing. There is no light on the beams. We don't  
21 see them.

22 Q. Do you recommend there be a light?

23 A. It be lighted.

24 Q. You have heard what Captain Conley  
25 said this morning about the Red Head coastal D/F station?

26 A. Yes.

27 Q. Do you agree with what he said?

28 A. I sure do. In fact, I was on that  
29 Board when they were going to dismantle this D/F compass  
30 in Saint John.







1 Q. Have you any further suggestions  
2 to make in regard to aids to navigation?

3 A. At the end of No. 1 berth there  
4 should be either a crib or a solid pier built there to  
5 keep ships off the foul ground.

6 Q. Do you know if this crib has been  
7 demanded before from your pilot authorities?

8 A. Not to my knowledge.

9 Q. Not to your knowledge. Is it a  
10 new situation that you have there on account of harbour  
11 development, on account of the port?

12 A. The ships they are building today  
13 are overhanging the berth. If you have a heavy southerly  
14 you are going - where is your stern going? She goes up  
15 around the corner. It is on foul ground.

16 Q. Have you got the chart? Would you  
17 show to the Commissioners this No. 1 jetty?

18 A. The berth there, the ships are  
19 overhanging this dock (indicating).

20 THE CHAIRMAN: Could you have it marked  
21 there?

22 Q. Could you mark it? There are no  
23 other marks. What shall we use?

24 MR. JACQUES: We are keeping A for the  
25 boarding point of pilots.

26 MR. McKELVEY: I was going to suggest as  
27 all these points are mentioned in Schedule "D" to the  
28 pilots' brief, perhaps if we marked them D1, D2 it might  
29 be easier for the Commission.

30 MR. LANGLOIS: Mark it with the letter D1.





1 MR. McKELVEY: Pardon me, that is D4.

2 MR. LANGLOIS: D4.

3 THE CHAIRMAN: On Exhibit No. --?

4 MR. LANGLOIS: That is 25, on Exhibit 25.

5 Q. Now, what else would you suggest  
6 as additional aids to navigation or improvements to the  
7 existing aids to navigation?

8 A. Well, buoy 62-J at the head of the  
9 main harbour be lighted, on account of the new Long Wharf.  
10 It is less than a cable from the pier to the buoy and you  
11 are in heavy current all that time.

12 Q. That is buoy 62-J?

13 A. That is right.

14 Q. You recommend that it be lighted?

15 A. Lighted buoy.

16 Q. Mr. Cobham, has this recommendation  
17 in regard to buoy 62-J been made following some changes  
18 or improvements made in that section of the harbour?

19 A. They built a new pier there called  
20 Long Wharf.

21 Q. What has been the result of this  
22 situation? Do you have to enter your ships in a different  
23 manner than you used to?

24 A. Definitely.

25 Q. Would you explain that to the  
26 Commission?

27 A. Well, why they built the pier the  
28 way it was built no one will ever know. We had a good  
29 dock when we had the old Long Wharf. At the present time,  
30 from my own experience, it is not a safe berth. Going





1 into Long Wharf A, so-called, the towboat hasn't even  
2 got room to work alongside of a ship. That was the  
3 normal procedure in the old Long Wharf, going in there.  
4 Today it is silted in the starboard side of the ship and  
5 the towboat has got room to get off 15 degrees to shove  
6 on her. That is on the parallel to the ship. We consider  
7 it a dangerous berth.

8 Q. How does that buoy come into the  
9 picture?

10 A. That buoy, if you are going up,  
11 swinging to starboard, that current in that area runs to  
12 5 knots around that buoy, 5 to 6 knots in flood tide. On  
13 ebb tide it is even greater, 7, and on freshet, 9 knots.  
14 Whether it will hold a buoy or not I don't know. As you  
15 mentioned yesterday, in other areas of the St. Lawrence,  
16 where they have 9 knots, I presume they can hold it.

17 Q. Would, what we call in the St.  
18 Lawrence a canoe type of buoy, stay there?

19 A. Well, no harm in trying.

20 Q. About Courtenay Bay, would you  
21 have any recommendations or suggestions to make to the  
22 Commission in regard to aids to navigation?

23 A. Well, buoy 67.5-J at the northerly  
24 end of Courtenay Bay should be dredged to facilitate the  
25 docking of ships. That is at the repair jetty, the paral-  
26 lel of 15 and 16 berths. That edge of the channel is  
27 silted today. When you go in with an Imperial Oil  
28 tanker and get wind sou'west, before you had a quarter  
29 approach to the berth. Now, you do on the beam. You  
30 have to get off so far to make this jetty. It should be







1 dredged. That is the opinion of all the pilots.

2 Q. What about the channel leading to  
3 Courtenay Bay?

4 MR. JACQUES: Just a minute, now. Para-  
5 graph 6 of Schedule "D" reads:

6 "The shallows to be westward of buoy  
7 67.5-J at the northerly end of the  
8 Courtenay Bay channel should be dredged  
9 to facilitate the docking of vessels  
10 at the ship repair wharf in Courtenay  
11 Bay."

12 THE WITNESS: There is the buoy (indica-  
13 ting.)

14 MR. JACQUES: This buoy?

15 THE WITNESS: Yes.

16 MR. JACQUES: Would you indicate the  
17 amount of dredging, the place where you want the dredging  
18 done on Exhibit 25?

19 MR. LANGLOIS: That would be D5.

20 MR. McKELVEY: D6.

21 THE CHAIRMAN: D6.

22 Q. D6. Would you have any further  
23 suggestions in regard to the channel into Courtenay Bay?

24 A. The eastern side of the junction  
25 of Courtenay Bay - may I see the chart so I can explain,  
26 please? What is that?

27 MR. JACQUES: D7.

28 THE WITNESS: When you are going out with  
29 the Irving tankers at freshet time, they go loaded drawing  
30 33 feet and you get a 22-foot tide, maybe 21-foot tide;





1 it only gives you about 37 feet, and you have a ground  
2 swell at times there, sometimes we go out on the ebb tide  
3 and you have to drive that ship down that channel and  
4 when you go down to this buoy you are setting to the east-  
5 ward and we advise this be dredged.

6 Q. You have indicated with a line  
7 marked D7 on Exhibit 25 what should be the bank of the  
8 channel after the dredging is done; is that correct?

9 A. That is correct, yes.

10 THE CHAIRMAN: Could you show us the map?

11 Q. Yes. Now, when you referred in  
12 your testimony that you were going out with tankers, are  
13 you referring to the supertankers?

14 A. No, they don't operate there at  
15 freshet time. We are talking about Irving tankers.

16 Q. Irving tankers?

17 A. That is correct.

18 COMMISSIONER SMITH: Excuse me, Mr.  
19 Langlois; Irving tankers, what are the other tankers?

20 THE WITNESS: Irving tankers, the Irving  
21 Glen, Irving Stream - the supertankers. There was only  
22 one in that area, ever in that area in freshet time.

23 COMMISSIONER SMITH: They are not owned  
24 or operated by the Irving Company?

25 THE WITNESS: Oh, no.

26 COMMISSIONER SMITH: Thank you.

27 Q. What about this channel now leading  
28 into Courtenay Bay; do you have any further suggestions  
29 in regard to it?

30 A. Well, no more than these two





1 ranges here, one here and one up there. You couldn't  
2 see them, only lights on poles.

3 Q. Would you indicate by the letter  
4 D8 on Exhibit 25 where you would like to have these new  
5 sets of ranges in Courtenay Bay?

6 MR. McKELVEY: D10.

7 MR. LANGLOIS: I am only up to D7 - you  
8 have your own list, I see. That would be D10.

9 Q. Would you mark the place by the  
10 letter D there, D10? You also mentioned another set of  
11 ranges. Would you indicate that by the letter --?

12 MR. McKELVEY: Pardon?

13 MR. LANGLOIS: The second set of ranges.

14 MR. McKELVEY: Both D10.

15 Q. D10.

16 A. This here is rock.

17 Q. My learned friend remarked we have  
18 been using the term leading lights and the term ranges.  
19 The recommendation is about having a set of ranges lighted  
20 at night, visible at daytime and lighted at night, of  
21 course, and preferably painted flame orange in daytime.

22 MR. McKELVEY: Two lights that could be  
23 lined up.

24 Q. Two lights that could be lined up.  
25 You mentioned in the brief submitted by the pilots that  
26 you have a good pilot boat, suitable pilot boat, in Saint  
27 John.

28 A. We have.

29 Q. Would you have any recommendations  
30 to make in regard to this pilot boat or her equipment?







1 A. Well, we have had considerable  
2 trouble with our radar at times. It has been working  
3 very good this last month or so, but you can't tell from  
4 day to day. We have had it now since the boat was in  
5 operation. I don't consider it a good one. Of course,  
6 I am only one.

7 Q. What is wrong with it?

8 A. Technicians, I think. They don't  
9 seem to be able to operate it. The last chap that was  
10 there seemed to be very good.

11 Q. Am I to understand it is only a  
12 question of training the personnel to handle the radar or  
13 to use it?

14 A. No, no, it is technicians ashore,  
15 the shore technicians.

16 Q. Is this pilot boat equipped with  
17 a depth sounder?

18 A. No. We asked for one and the  
19 Department refused it.

20 Q. Do you still retain this recommen-  
21 dation or request?

22 A. Yes.

23 MR. JACQUES: I thought you said it was  
24 no good.

25 THE WITNESS: I am talking about a ship.  
26 When you get rock or so forth you can have a sounding -  
27 in the silt and slips and so on it is useless.

28 Q. Is there a difference using a  
29 depth sounder when your ship is going against a strong  
30 current and making headway as compared with when you do





1 it when the current is much less and the ship is almost  
2 at a standstill?

3 A. You are going to get a strong  
4 current. I have tried that at the Reversing Falls. I  
5 used to get a kick out of it, ask the C.O. of the ship  
6 to see how much water there was in the echo sounder and  
7 she goes down to zero and there is lots of water under-  
8 neath me.

L/dpw 9 Q. Would you explain why you are  
10 making this recommendation in regard to that sounder on  
11 the pilot boat?

12 A. Well, it will give us a rough idea  
13 when our channel is silting in. I am not going to rely  
14 on it, but it will be an aid.

15 Q. Do you rely on the depths as  
16 indicated on the charts?

17 A. No, I do not.

18 Q. For the harbour?

19 A. No.

20 Q. Why?

21 A. You will notice in the righthand  
22 corner of the chart there is a caution there.

23 Q. Which caution are you referring to?

24 A. Right here.

25 Q. Would you read it?

26 A. "Caution: Due to continuous silting  
27 the depths shown in dredged areas are subject to change.  
28 Mariners should exercise caution in navigating in these  
29 areas."

30 Q. Am I to understand one of the





1 reasons that you would like to have a depth recording  
2 device on the pilot boat would be to check the silting  
3 from time to time?

4 A. That is correct.

5 Q. Now, mention has been made of the  
6 former limits of the pilotage district. Would you, using  
7 your pilot's rulers and dividers, put on Exhibit A of  
8 Exhibit 39 what used to be the former limits of your  
9 pilotage district?

10 (Witness complies)

11 Q. Would you indicate those now, Mr.  
12 Cobham, by the letter D8 on Exhibit 39, forming part of  
13 the brief submitted by the Saint John pilots?

14 (Witness complies)

15 Q. Would you know when these limits  
16 were changed to the present limits?

17 A. Not to my knowledge, the date. I  
18 would say two or three years ago. I do not know the date.

19 Q. Do you know what was the reason  
20 for the change?

21 A. There was no reason given. We  
22 understood our districts were changed.

23 Q. What would be the distance repre-  
24 sented by these changes to seaward, if we go back to the  
25 former limits, the maximum?

26 A. Eight miles from Partridge Island.  
27 That would be the maximum.

28 Q. The present limits?

29 A. Two-and-a-half miles to three  
30 miles. Three miles would be the maximum.







1 Q. What is your reason for asking to  
2 revert to these former limits?

3 A. In southwest gales the light ships  
4 won't come in our district. I had an occasion here of  
5 two ships, the Beaver Cove and the City of Perth; they  
6 were due at 5 o'clock, I went out at half-past two, and  
7 the Beaver Cove F/M radio was not working and the master  
8 of the ship called the pilot boat through Red Head coast  
9 station and he said he wasn't coming in close, and we  
10 advised him back that we were on our way offshore after  
11 him. When I boarded the City of Perth the captain said  
12 he didn't expect us out at all. Both ships came in that  
13 night.

14 Q. Now, Mr. Cobham, the reason was  
15 given yesterday by Mr. Quinn in asking for this change in  
16 the pilotage district limits when he stated that it was  
17 because you wanted to be on the safe side, if you were  
18 called upon to go outside the present limits. Is that  
19 correct?

20 A. That is correct.

21 Q. In other words, if I understood  
22 the testimony correctly yesterday by Mr. Quinn, you are  
23 afraid that if you go outside of the limits and something  
24 should happen in way of an accident, that you would be  
25 blamed for it?

26 A. On a technical point, yes.

27 Q. You just want to have your peace  
28 of mind in this regard?

29 A. That is correct. But, as I say,  
30 we often go out and board ships offshore; we have to, or





1 if they stay there we come back in again.

2 Q. Now, in your bylaw there is a  
3 section empowering the supervisor to give you permission  
4 to go outside of your limits. Do you consider that this  
5 is sufficient, that we could do without extending your  
6 limits?

7 A. No. I wouldn't want to call the  
8 supervisor out of bed at 3 o'clock in the morning when I  
9 am offshore.

10 Q. It is not practical?

11 A. It is not practical, definitely  
12 not.

13 Q. Now, mention has been made yesterday  
14 of tidal berths. Would you explain what you mean by a  
15 tidal berth?

16 A. Well, a tidal berth is a berth in  
17 our main harbour where the current is running at right  
18 angles to the approach to the slip. That is the chief  
19 reason for calling them tidal. You have to go in on  
20 hawsers. As a rule, on some ships you will come in  
21 between other ships, and that is the reason for calling  
22 it a tidal berth. It is not on account of the draught.

23 Q. Would it mean you are only getting  
24 tidal current; you wouldn't be getting the normal river  
25 current?

26 A. You are getting the river current.

27 Q. Both of them?

28 A. Yes.

29 Q. Now, what about the berths in  
30 Courtenay Bay? Are these berths deep enough to





1 accommodate the ships afloat at all times?

2 A. No. We had one ship that was  
3 stood off her berth here. The ship's name was Paula Dan.  
4 She skidded back on the silt and fortunately didn't ram  
5 into a supertankers which was astern.

6 Q. Mr. Cobham, if I understand your  
7 testimony correctly, you will have berths in Courtenay  
8 Bay where the ships lie on the bottom at low tide?

9 A. Yes.

10 Q. How many berths do you have like  
11 that in Courtenay Bay?

12 A. Well, the refinery berth, being a  
13 private dock, it is very seldom we get the proper informa-  
14 tion as to the depth of the water alongside. There is  
15 sufficient there for the ship to enter, but whether they  
16 ground or not we do not know. They are private berths  
17 and privately-owned ships.

18 Q. I understand you have no such  
19 berth in Saint John Harbour proper.

20 A. Oh, I wouldn't say we haven't.  
21 But a ship may be astern and may be drawing 30 feet of  
22 water and be touching. There is a possibility that they  
23 do ground. They have grounded, I know.

24 Q. Now, handling ships in the  
25 Courtenay Bay channel, do you experience, in larger ships  
26 particularly, what we call the squat? I mean by squat ---

27 A. Yes, I know what you mean.

28 Q. That means that the ship goes  
29 through the water at a certain speed and she goes down by  
30 the stern, and, according to the experts, there is a







1 vacuum created underneath the ship and her draught  
2 increases. Have you experienced this situation here,  
3 especially in the Courtenay Bay channel?

4 A. I have been aboard the pilot ship  
5 following them in. From the end of the breakwater  
6 chiefly and just before they get to the pier they are  
7 a foot deeper than what they are stopped at the jetty.  
8 The ship is nearly 50,000 tons dead weight, and they are  
9 only going maybe 2 to 3 knots.

10 Q. So you would have to keep in mind  
11 the possibility of squat in determining your speed as you  
12 go through these narrow channels?

13 A. That is right.

14 Q. Because the draught of your ship  
15 will be increased?

16 A. That is right. Also in the Spring  
17 of the year your draught will increase here in the harbour  
18 entering according to the density of your water. In the  
19 Spring of the year our water here is practically a  
20 thousand, fresh.

21 Q. Would you be ready to go so far as  
22 to suggest to the Commission that the master of a ship  
23 should give to the pilot as he boards his vessel the data  
24 about the squat to be experienced or to be expected of  
25 that ship?

26 A. We are not getting that informa-  
27 tion. Some masters will say that they haven't got the  
28 faintest idea of the exact squat of the ship.

29 COMMISSIONER SMITH: Mr. Langlois, would  
30 you mind me interrupting to ask the witness a question?





1 MR. LANGLOIS: I have no objection at all.

2 COMMISSIONER SMITH: What kind of space

3 do you allow for what used to be called - I don't know

4 what it is called now - bumping, the distance between

5 the keel and the bottom of the channel, what space?

6 THE WITNESS: Well, these supertankers

7 were not supposed to come in with anything less than 3

8 feet.

9 COMMISSIONER SMITH: Three feet?

10 THE WITNESS: Yes.

11 THE CHAIRMAN: We will adjourn this

12 testimony until 2.30.

13

14 --- Adjourned for lunch at 12.15 p.m. until 2.30 p.m.

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IT/dpw 1 --- On resuming at 2.30 p.m.

2 MR. JACQUES: May it please the Commission,  
3 my friends have agreed to interrupt the testimony of Mr.  
4 Cobham in order to allow one of the representatives of  
5 one of the districts to give evidence before the Commis-  
6 sion before he returns home.

7  
8 DONALD H. MEALEY, sworn

9 DIRECT EXAMINATION BY MR. JACQUES:

10 Q. What is your name, sir?

11 A. Donald H. Mealey.

12 Q. What is your occupation, sir?

13 A. I am master pilot, Restigouche

14 Pilotage Commission.

15 Q. How long have you been master  
16 pilot?

17 A. Two years.

18 Q. What are the duties of the master  
19 pilot?

20 A. The duties in our district are  
21 the assignment of pilots to the jobs of the two ports  
22 under which we operate.

23 Q. Which ports do you operate?

24 A. The ports of Dalhousie and Campbell-  
25 ton, New Brunswick.

26 Q. How many pilots have you got under  
27 you?

28 A. Two pilots total and one apprentice.

29 Q. How many ships do you get in  
30 every year, in and out, approximately?







1 A. For the two ports it averages 140  
2 ships per year.

3 Q. Are the two ports operated the year  
4 around?

5 A. No, sir.

6 Q. How many months a year?

7 A. One port is operated the year  
8 round, Dalhousie, and Campbellton is operated approximately  
9 eight months.

10 Q. What types of ships ply to your  
11 port?

12 A. We have coastwise and ocean-going  
13 freighters and ore carriers.

14 Q. What is the largest draughts that  
15 you can accommodate in your district?

16 A. 28 feet.

17 Q. Are there any particular problems  
18 relating to pilotage in that district?

19 A. I can't say that there is, sir,  
20 no, sir.

21 Q. Everybody is happy?

22 A. Seem to be, sir.

23 Q. How many commissioners have you  
24 got on the pilotage authority?

25 A. There are five commissioners.

26 Q. Do they meet?

27 A. Yes.

28 Q. Do they keep minutes of their  
29 meetings?

30 A. Yes.





1 Q. How are pilots paid in your  
2 district?

3 A. By that do you mean from what do  
4 we derive our remuneration?

5 Q. No.

6 A. We are paid by the secretary.

7 Q. Are dues collected by each pilot?

8 A. No.

9 Q. Or by the pilotage authority?

10 A. By the pilotage authority.

11 Q. And it is shared by the pilotage  
12 authority?

13 A. Yes.

14 Q. Do you do any piloting yourself?

15 A. Yes.

16 Q. Are you included in the two pilots?

17 A. Yes, sir.

18 MR. JACQUES: Thank you very much.

19

20 CROSS-EXAMINATION BY MR. LANGLOIS:

21 Q. How long have you been a pilot,  
22 sir?

23 A. Since 1951, sir.

24 Q. Have you had any sea experience?

25 A. Yes.

26 Q. How many years?

27 A. Four years, sir.

28 Q. What capacity?

29 A. I was at sea during the war in  
30 the R.C.N. on deck.





1 Q. On warships?

2 A. Yes, sir.

3 Q. That must have been a very good  
4 experience?

5 A. I consider it so, yes.

6 MR. JACQUES: He says that because he  
7 was in the navy.

8 Q. Do you hold any ticket?

9 A. No, sir.

10 Q. How long is your pilotage district?  
11 How long do you have to pilot a ship?

12 A. The greatest distance we have is  
13 16 miles.

14 Q. Are there any obstacles to naviga-  
15 tion or impediments to navigation?

16 A. Yes, sir.

17 Q. Is that a straight channel?

18 A. No, sir. It is a very narrow,  
19 very shallow channel.

20 Q. You are provided with aids to  
21 navigation?

22 A. Yes, sir.

23 Q. You have range lights?

24 A. Yes, sir.

25 Q. Buoys?

26 A. Yes, sir.

27 Q. Can you use radar coming into that  
28 channel?

29 A. It is not of much use to you, sir.

30 Q. Why?







1 A. The marks, the shore marks that  
2 would be discernible on radar are not sufficient due to  
3 the narrowness of the channel to give you any type of  
4 safe warning to prevent possibly grounding your vessel  
5 by the use of radar.

6 COMMISSIONER SMITH: You are talking of  
7 Dalhousie or Campbellton?

8 THE WITNESS: Campbellton, sir.

9 Q. How is the land surrounding the  
10 channel? Is it high level land?

11 A. It is high on the north side. The  
12 Quebec side is very high and mountainous, and on the  
13 New Brunswick side it is fairly flat.

14 Q. Would you be getting false echoes  
15 from these heights of land?

16 A. Never had it occur, sir. Not that  
17 I know of.

18 Q. What about the use of depth  
19 sounding machines?

20 A. We use them as an aid. We have  
21 found because of the type of the bottom, which is a mud  
22 bottom in our river, that it can be very deceiving. The  
23 readings from the echo sounder, they seem to penetrate  
24 down into the mud before they hit something hard enough  
25 and bounce back. You can have two, three, four feet less  
26 water than indicated on the echo sounder.

27 Q. Are you getting false echoes or  
28 side echoes on your sounder?

29 A. I am not familiar with the term  
30 "side echoes," but I would definitely say they are false





1 echoes.

2 Q. Are there any radar reflectors on  
3 the buoys?

4 A. We have one buoy equipped with  
5 radar reflector, the Fairway buoy.

6 Q. And is that at the approaches to  
7 the channel?

8 A. Yes, sir.

9 Q. What is the deepest ship that you  
10 have taken in there to Campbellton?

11 A. The deepest draught?

12 Q. Yes.

13 A. Into Campbellton?

14 Q. Yes.

15 A. 22 feet, 6 inches.

16 Q. That would not leave you much  
17 water underneath?

18 A. A foot, if any, sir.

19 Q. Doesn't your ship feel the bottom?

20 A. Yes, sir.

21 Q. And it is hard to steer?

22 A. Very hard to steer.

23 Q. Do you have to use a very low  
24 manoeuvring speed?

25 A. Have to, sir.

26 Q. Have you ever experienced squat?

27 I don't know if you know what the term is.

28 A. Yes, I am familiar with that term.

29 We do experience it in the upper regions of the river,  
30 the last four miles.





1 Q. By how much is your draught  
2 increased due to squat, would you be prepared to say, at  
3 normal manoeuvring speed in that channel?

4 A. I couldn't say actually. I have  
5 never been able to find out exactly what it is, but we  
6 do know it is going down.

7 Q. As you get into this channel, as  
8 you approach the wharves and the port facilities, are  
9 you getting into fresh water?

10 A. We consider it brackish water,  
11 sir. It is not entirely fresh. It is about 10 feet, 6  
12 inches except in the Spring of the year when you have a  
13 freshet or flood condition coming down the Restigouche  
14 River; then you definitely have much more fresh water  
15 than salt.

16 Q. Are you prepared to say whether  
17 or not the change in the density of water would affect  
18 the draught of your ship as you come in?

19 A. To Campbellton, yes. There is a  
20 difference between outside the port of Dalhousie and  
21 port of Campbellton. There is definitely a difference of  
22 draught from the time we get aboard out there until we  
23 arrive in Campbellton.

24 Q. What about the type of ship that  
25 is using this port? Is it a rule that most of the ships  
26 out there are in the conning position and the wheelhouse  
27 and bridge in the amidships arrangement?

28 A. 50-50. 50% of them the admidships  
29 arrangement - I would say that of this year - and it is  
30 becoming a greater percentage that is going the other way.







1 There are becoming more ships with everything aft.

2 Q. These ships with everything aft  
3 as we say, is your forward vision impeded by this forest  
4 of derricks and masts you have in front of you?

5 A. Definitely.

6 Q. Do you handle these ships yourself?

7 A. Yes, sir.

8 Q. You give direct orders to the  
9 wheelsman and do you handle the telegraph yourself?

10 A. No, sir. The officer on watch,  
11 sir.

12 Q. As you come into this channel is  
13 the master on the bridge at all times?

14 A. Yes, sir.

15 Q. Do you get all the information you  
16 need as far as the particulars of the ship are concerned,  
17 the draught, tonnage, and the manoeuverability, from the  
18 captain there when you take over?

19 A. That is right, sir.

20 Q. Generally speaking, have these  
21 ships good stern power?

22 A. Generally speaking, yes, sir. We  
23 get more motor ships than turbines and they have very good  
24 stern power.

25 Q. Turbines have very little stern  
26 power?

27 A. The ones we get, next to nothing.

28 Q. What about shipping casualties?  
29 That is, ships being in charge of pilots? What has been  
30 the history in that respect? Have you many?





1 A. Yes, we have; since I have been on  
2 the river I personally have had two, and there have been  
3 two other casualties during my term on the river.

4 Q. Over a period of how many years?

5 A. Twelve years, sir.

2 6 Q. Were these casualties involving  
7 groundings?

8 A. Right.

9 Q. What about a collision?

10 A. No collisions.

11 Q. When you come in for your ticket,  
12 your licence as a pilot, are you examined as to the rules  
13 of the road?

14 A. Yes, sir.

15 MR. LANGLOIS: Thank you, sir.

16

17 RE-DIRECT EXAMINATION BY MR. JACQUES:

18 Q. How do you board vessels in-coming?

19 A. We go out - we supply our own  
20 pilot launch and we go out on a steel-hulled pilot launch  
21 and board by a ladder.

22 Q. Do you have one pilot launch for  
23 all the pilots?

24 A. Yes, sir.

25 Q. How is the expense shared?

26 A. All expenses incurred in the  
27 operation, maintenance of the pilot boat, is taken out  
28 of the earnings of the pilots.

29 MR. JACQUES: That is all, thank you.

30 THE CHAIRMAN: Thank you very much.





1 RONALD V. COBHAM, recalled

2 THE SECRETARY: You are still under oath.

3  
4 DIRECT EXAMINATION BY MR. LANGLOIS (continued):

5 Q. Yesterday, Mr. Cobham, there was  
6 a reference made to errors in publications in regard to  
7 your harbour. Have you yourself ever spotted some of  
8 these errors, referring to the Fundy Pilot or to the  
9 charts?

10 A. Yes, there is one in the Pilot,  
11 Coast Pilot, and there is two in our harbour charts.  
12 The section under Saint John Harbour in the Atlantic  
13 Coast Pilot, it gives the wrong position for the pilot  
14 boarding a ship. I noticed the dock heading No. 7 berth  
15 is not proper. The light at the end of the breakwater  
16 in Courtenay Bay is not in the proper position on the  
17 chart.

18 Q. Have you ever reported this to the  
19 port authorities?

20 A. Not the port authorities.

21 Q. To whom, then, if you have?

22 A. I don't know if I have mentioned  
23 it when I have been in Ottawa or not. I couldn't say.

24 Q. To whom in Ottawa?

25 A. Well, that is what I don't know.  
26 I may have mentioned it there; I may have mentioned it  
27 in Montreal. I mentioned it somewhere, but I wouldn't  
28 swear to where I did.

29 Q. You have a district marine agent?

30 A. Yes, we have. I believe I did







1 check with the engineer in the Public Works about it.

2 Q. By the way, who looks after your  
3 channels here as far as dredging, and also as far as  
4 harbour facilities, piers and wharves are concerned?  
5 Is it the National Harbour Board or the Department of  
6 Public Works?

7 A. I may be wrong. As far as I know  
8 about the channels, it is the Department of Public Works.  
9 The soundings in the channel.

10 COMMISSIONER SMITH: Slips are the  
11 Harbour Board's?

12 THE WITNESS: That is right.

13 MR. LANGLOIS: My Lord, at this point I  
14 find it a very awkward situation that the Department of  
15 Public Works will have jurisdiction over the entrance to  
16 the channel. The harbour facilities within the limit of  
17 a port which is a national port should come under the  
18 National Harbour Board's Act because, My Lord, as you  
19 know, and Mr. Smith knows, too, the jurisdiction over  
20 port facilities within harbours come under the National  
21 Harbour Board's Act, the National Harbour Board itself  
22 and not the Department of Public Works.

23 COMMISSIONER SMITH: Of course, one of  
24 the functions of the National Harbours Board was to  
25 provide those waterfront facilities, and in a sense hire  
26 them out or make them available to the shipping people  
27 that wanted to use them.

28 So far as dredging of main channels, it  
29 was an established fact and a precedent, I think, of  
30 long standing that any dredging of main channels was a





1 function of the Department of Public Works.

2 MR. LANGLOIS: Incidentally, I can bring  
3 another witness at a later time in this respect, but I  
4 know at least of one case where dredging was done in one  
5 of the berths here in Saint John without the National  
6 Harbours Board authority even knowing about it.

7 COMMISSIONER SMITH: Recently?

8 MR. LANGLOIS: I am speaking of 1960.

9 COMMISSIONER SMITH: I would not know.  
10 I left in 1954 so I would not know anything about that.

11 MR. LANGLOIS: When I brought this matter  
12 up they were quite surprised that dredging had been done  
13 in this harbour without them knowing about it.

14 COMMISSIONER SMITH: I do not know what  
15 the situation is today, but it used to cost us a lot of  
16 money every year for dredging the slips, and it cost us a  
17 lot more money for dredging the slips after the Beaver  
18 Hill sunk. Change in the circulation of the water and  
19 what-not. I don't know what, but anyway more silt got in  
20 the slips and cost us an awful lot more after the Beaver  
21 Hill went down in 1944.

22 Q. Now, mention was made yesterday,  
23 Mr. Cobham, of shipping casualties in the district. From  
24 your time that you have been acting as pilot, have you  
25 had any knowledge of such shipping casualties?

26 A. Four in the harbour.

27 Q. Resulting from what?

28 A. I could name five. One, two,  
29 three, current; one by the propellers being fouled and  
30 one by, I might say, lack of knowledge. Destroyer.





1 Q. Four accidents? Any serious  
2 accidents?

3 A. Well, the Beaver Hill was a total  
4 loss. The Duchess of Richmond, they got her off and put  
5 her in dry dock, temporary repairs and sent to the other  
6 side. The Agios Speridon went on the island. It was due  
7 to current. The Pennington Court went onto 14 due to  
8 current. The H.M.S. Hamilton went ashore. She tried to  
9 climb the breakwater in Courtenay Bay. The captain  
10 admitted himself that he thought he knew the area but he  
11 didn't.

12 Q. Were there pilots in charge of  
13 these ships at the time of these accidents?

14 A. One, two, three, four were.

15 Q. They had pilots on board?

16 A. Yes.

17 Q. What happened in these cases?

18 Take the case of the Beaver boat; what was she doing  
19 when the accident occurred?

20 A. I didn't see it. This is only  
21 hearsay.

22 Q. You did not see it?

23 A. I did not see the accident.

24 Q. If this is not firsthand informa-  
25 tion ---

26 A. No, it is not.

27 Q. Would that apply to the other  
28 three accidents also; it is only hearsay?

29 A. That is right. Only the master's  
30 word, that is all.







B/dpw

1 Q. This would apply also to the fact  
2 as to whether or not there was a pilot on board? That  
3 is only hearsay?

4 A. That is all.

5 MR. LANGLOIS: My Lord, this isn't  
6 acceptable evidence. This is hearsay.

7 THE WITNESS: I know the ships were  
8 ashore, but as to what happened I don't know.

9 Q. You mentioned a case where an  
10 accident was due to inexperience. Was there a pilot on  
11 board that ship?

12 A. No.

13 Q. Have you ever experienced, Mr.  
14 Cobham, a change in your draught coming into the harbour  
15 on account of going from salt water to fresh water?

16 A. I have.

17 Q. By how much would you say, approxi-  
18 mately, that the draught of a ship could be affected by  
19 the density of water going from sea water outside the  
20 harbour to fresh water inside the harbour?

21 A. I have seen the draught of super-  
22 tankers anchored outside, and after securing they were  
23 9 inches deeper.

24 Q. When you are given the draught of  
25 a ship as she lies outside of your district or within  
26 your district do you make due allowance for this possible  
27 change in her draught as she gets into fresh water?

28 A. If the river is high.

29 Q. If the river is high?

30 A. That is right.





1 Q. You mean at the freshet season?

2 A. In the freshet season, that is  
3 right.

4 Q. There was, this morning, mention  
5 made by Mr. Kane about experience in the handling of ships -  
6 pilots refusing to bring them in and out of the harbour.  
7 You have heard his testimony in this respect. Do you  
8 agree with him?

9 A. There is no two have the same  
10 opinion as regards to handling a ship. I am sure when  
11 I was a young pilot I did the same as the young pilots  
12 are doing today. They go up for examinations. If they  
13 give an off time or tide or so forth we will not pass  
14 them. There is a proper time and tide to be in Saint  
15 John Harbour and outside of that with limited experience  
16 in handling ships - as I said before, I may go later, I  
17 may go earlier than other pilots. I think it shows the  
18 experience here.

19 Q. Now, one last question, Mr. Cobham.  
20 Have you ever experienced difficulty in handling a ship  
21 due to obstruction of your vision from the conning posi-  
22 tion of the ship?

23 A. I have.

24 Q. Have you, for example, ever seen  
25 a ship that came into the harbour in recent days, a day  
26 or two ago, the Vikara? Have you seen that ship?

27 A. I have seen that ship.

28 Q. Have you counted the number of  
29 masts and derricks she has?

30 A. There is a mass of derricks.





1 Q. Forest of derricks?

2 A. Forest of derricks.

3 Q. Is it the tendency to build ships,  
4 large ships, with the accommodation aft and the bridge aft  
5 and with this number of derricks and masts forward? Is  
6 it the tendency in modern design of ships nowadays?

7 A. It appears to be.

8 Q. I am referring, My Lord, to a  
9 ship, a picture of which was in yesterday's paper, a  
10 Norwegian ship on her maiden voyage to Quebec calling in  
11 at Saint John. According to this article she contains  
12 18 derricks.

13 MR. JACQUES: Are you going to file it  
14 because it is being taken down by the shorthand writer?

15 MR. LANGLOIS: I have no objection to  
16 filing the Times Globe of Saint John dated February 14th  
17 as Exhibit 43.

18 --- EXHIBIT NO. 43: The Times Globe of Saint John  
dated February 14th, 1963.

19 Q. Is it your knowledge, Mr. Cobham,  
20 that some of the ships are being equipped with closed  
television circuits in order to improve the vision ahead?

21 A. There is such a thing coming. I  
22 have never been aboard one with it.

23 Q. Have you had any of these vessels  
24 in Saint John so far?

25 A. Not to my knowledge. That is with  
26 television in the forward part?

27 Q. In the forward part.

28 A. I know about it. That is all.

29 Q. You know about it. That is all.

30 So you don't know what the net results obtained from







1 these closed circuit televisions are?

2 A. Pardon?

3 Q. You don't know what results can  
4 be obtained from such a television circuit?

5 A. No.

6 MR. LANGLOIS: That is all, thank you,  
7 Mr. Cobham.

8  
9 CROSS-EXAMINATION BY MR. JACQUES:

10 Q. How many accidents did you say  
11 happened in the district?

12 A. Five.

13 Q. Since when?

14 A. 1928.

15 Q. 1928?

16 A. I think it was 1928.

17 MR. LANGLOIS: The witness said that was  
18 hearsay.

19 THE CHAIRMAN: The number he says he  
20 knows.

21 MR. LANGLOIS: He heard about it.

22 THE WITNESS: I saw the ships. What  
23 happened, I don't know.

24 THE CHAIRMAN: So he knows the number.

25 Q.. Do you recall the Irving Lake  
26 went aground twice in 1962?

27 A. She may have touched, but she  
28 didn't go aground, I don't think. She kept on going.

29 Q. Are you aware that the Irving  
30 Lake struck a submerged object?





1 A. Pardon?

2 Q. Are you aware that the Irving  
3 Lake struck a submerged object in 1961?

4 A. I don't know anything about it.

5 Q. Are you aware that there were four  
6 casualties reported in 1960?

7 A. Ships grounding?

8 Q. Striking docks.

9 A. I am not including docks. I am  
10 talking about groundings, permanent grounding; a ship  
11 may be there for a week or more.

12 Q. You mentioned this morning you  
13 served an apprenticeship of five years. Where was that?

14 A. The pilot vessel, Monarchy, a two-  
15 masted schooner.

16 Q. Where was it?

17 A. Bay of Fundy.

18 Q. What place in the Bay of Fundy?

19 A. Wherever they found us, all  
20 districts.

21 Q. A pilot vessel attached to which  
22 pilotage district?

23 A. Saint John.

24 Q. Saint John, New Brunswick?

25 A. Yes.

26 Q. What were your duties on that  
27 pilot boat?

28 A. As apprentice, we more or less -  
29 boatkeeper, go out on trips with the pilots in ships -  
30 we were also the crew in boarding the pilots from the





1 small boats, engineers, electricians, a little bit of  
2 everything.

3 Q. You said that radar wasn't accu-  
4 rate, reliable - which is the proper expression?

5 A. Not reliable.

6 Q. You make use of radar?

7 A. Used as an aid, but I don't rely  
8 on it.

9 Q. What do you mean, you don't rely  
10 on it?

11 A. I come in with ships, in and out  
12 of Saint John, long before we had radar. There are  
13 numerous occasions when we had a bridge position, wooden  
14 vessel, couldn't pick that up. If you get dense fog  
15 you couldn't very well rely on it.

16 Q. Wouldn't radar help you, say, pick  
17 out Partridge Island?

18 A. I came by Partridge Island on the  
19 pilot boat and the radar didn't pick it up.

20 Q. It must have been very poor radar  
21 you had on your pilot boat. Do you mean to tell me the  
22 radar doesn't pick up - that you have never seen Partridge  
23 Island, the breakwater - you have never seen Pier 14 coming  
24 in on radar?

25 A. I have been in the pilot boat.  
26 The Princess Helene was coming in the channel. We had  
27 everything starboard on our radar and absolutely nothing  
28 on port.

29 Q. How often does that happen?

30 A. I couldn't say. We don't keep







1 track of it.

2 Q. You don't keep track of it?

3 A. Definitely not.

4 Q. Is it fair to say that the radar  
5 is out order and inaccurate and not reliable more  
6 often than it isn't?

7 A. As I said before, we had unreliable  
8 radar until the last technician, whoever he is. I don't  
9 know the man. I never saw him. He apparently did a  
10 fairly good job on it.

11 Q. Since the last technician looked  
12 at it, repaired it, is it accurate?

13 A. It is working much better than it  
14 did.

15 Q. It is working much better than it  
16 did?

17 A. That is right.

18 Q. Is it useful?

19 A. They use it. I don't bother with  
20 it. I am only a passenger aboard the vessel. I don't  
21 use it.

22 Q. What about radar on merchant  
23 ships, the ships you pilot?

24 A. I use it at times.

25 Q. When?

26 A. When it is absolutely zero.

27 Q. What do you mean, absolutely zero?

28 A. When visibility is zero.

29 Q. You use it. Does it help?

30 A. It is an aid.





1 Q. But does it help?

2 A. I never had a collision here.

3 Q. You didn't answer my question.

4 I asked you whether radar helped.

5 A. I want to explain myself. I was on an inbound  
6 supertanker within the last three weeks - my friend at  
7 the table, he was on a ship bound out. He picked me in  
8 his radar but I didn't pick him up.

9 Q. You didn't answer my question.

10 A. It is an aid, I said.

11 Q. I asked you to answer the question;  
12 does it help you in your work or does it not?

13 A. I could say yes and I could say  
14 no. It is immaterial to me if it is on board a ship or  
15 not.

16 Q. Is it fair to say radar, as far  
17 as you are concerned, is useless? It could be dispensed  
18 with?

19 A. I went in and out for years before  
20 there was such a thing as radar.

21 Q. Do you say radar can be dispensed  
22 with?

23 A. As far as I am concerned, yes.

24 Q. As far as you are concerned it  
25 can be dispensed with. Is it to your knowledge that  
26 other pilots share your views on that point?

27 A. That is their privilege.

28 Q. I asked you if it is to your know-  
29 ledge they share your views.

30 MR. LANGLOIS: I object to that. Let





1 the other pilots speak for themselves.

2 THE CHAIRMAN: It is all right.

3 Q. You mentioned tide rips?

4 A. Yes.

5 Q. What do they do to ships when  
6 ships come in?

7 A. You have two different bodies of  
8 current, one from the main harbour and one from the  
9 current of the Bay of Fundy. That is an ebb tide out of  
10 the harbour, the flood tide coming in and meeting it.  
11 We have two - we have one, of course, that sets to the  
12 eastward, that is a heavy flood out of the harbour, up  
13 then around the sea buoy and expands out below Negro Head. T  
14 second one, it is outside Cape Spencer, up from the  
15 west end, from Musquash.

16 Q. What do they do to your ship when  
17 you go there?

18 A. They sheer the ship.

19 Q. They sheer the ship?

20 A. Yes.

21 Q. Can they be foreseen?

22 A. Oh, yes, oh, yes, sure. At times  
23 I have picked one up on radar, a good radar.

24 Q. Good radar?

25 A. You can see it long before you  
26 pick it up.

27 Q. So you can foresee a tide rip,  
28 bear off it, can't you?

29 A. Well, I don't worry too much about  
30 it, where those tide rips are. There is plenty of sea







1 room.

2 Q. There is plenty of sea room.

3 Would you consider it causes a danger to shipping?

4 A. No.

5 Q. This morning we talked about  
6 echo sounders, echo sounders on merchant ships and echo  
7 sounders on the pilot boat.

8 A. Yes?

9 Q. Let us deal with echo sounders on  
10 merchant ships, the ships you pilot.

11 A. Yes?

12 Q. You mentioned false echoes,  
13 side echoes, sometimes you get the bottom when there  
14 shouldn't be any - is it normal practice to use echo  
15 sounders in Saint John Harbour to pilot ships?

16 A. No.

17 Q. It isn't. What is the approximate  
18 percentage of ships that you have to board outside the  
19 district limits?

20 A. I couldn't give you an exact  
21 number. It is impossible. I never did keep track of  
22 that, any more than when we get heavy southerly gales  
23 we must go offshore.

24 Q. You mean --?

25 A. Clear of the port limits.

26 Q. Does that occur more often, that  
27 you board a vessel outside the limits?

28 A. Not more often.

29 Q. Not more often?

30 A. No.





1 Q. It is more normal within limits?

2 A. The percentage, I couldn't give.

3 Q. Is it more frequent within the  
4 limits?

5 A. It is according - I have seen a  
6 week, maybe, at a stretch, where pilots would be outside  
7 the limits, then we would be in. It is according to  
8 what weather we get. I couldn't tell you.

9 Q. Say, for one year, on the average,  
10 is it more often you go outside than inside?

11 A. Inside the limits, that is in  
12 normal weather.

13 Q. That is in normal weather?

14 A. That is right.

15 Q. Has it ever occurred to you during  
16 your career that a master of a vessel has insisted that  
17 you take the ship right out to the limits of Saint John?

18 A. I have gone aboard and taken them  
19 right outside the sea buoy, beyond the sea buoy, when the  
20 ships anchored there.

21 Q. You don't understand my question:  
22 has it ever happened to you in your career that the  
23 master has told you, "Pilot, you are getting paid to  
24 pilot me right out of the district, take me right out of  
25 the district."?

26 A. To that limit?

27 Q. Yes.

28 A. No, to the seaboard only.

29 Q. Has the reverse happened? Have  
30 you been specifically requested by a master to meet his





1 ship at the limits when he is coming in?

2 A. Yes. I think we have messages  
3 down there we can refer to at the pilot office, that he  
4 requests to meet him at 8 miles from Partridge Island.

5 Q. Is that inside or outside the  
6 limit?

7 A. This is outside the limit.

8 Q. Has any other master requested  
9 or insisted that you board his vessel at the limit?

10 A. I mentioned one there this morning,  
11 the Beaver Cove.

12 Q. That happened once. Any other  
13 time?

14 A. The same day, the City of Perth.  
15 We were beyond the limit. It was blowing a gale that  
16 day, and the Beaver is a light ship and the master didn't  
17 want to come up in that bite.

18 Q. So you had a request to go outside  
19 the limits?

20 A. That is right.

21 Q. Apart from that, have you ever had  
22 a master requesting that you board his vessel outside of  
23 the pilotage limits?

24 A. No, not pilotage limits. No, just  
25 E.T.A. so-and-so. Sometimes they are looking for us 60  
26 miles from Saint John. It is only lately that coast  
27 pilot has been changed. Up to about six years ago they  
28 had ships lying off Briar Island.

29 Q. You mentioned that in some docks  
30 the ships went aground and after the tide ebbed?







1 A. I named one ship.

2 Q. Has it occurred to several ships?

3 A. Well, the draught of the ships  
4 lying at the jetties in the harbour at low water datum,  
5 I doubt if they are afloat. I can't say they are  
6 grounded.

7 Q. Does it affect you in docking and  
8 undocking the ship?

9 A. Well, if there is not sufficient  
10 water, I am not going to take her in. Entering a berth,  
11 you are going to have to have sufficient water to get in.

12 Q. But if she floated going in and  
13 she went aground after the tide receded, does it affect  
14 you?

15 A. We don't take them in and out at  
16 that time. You are talking about low water datum?

17 Q. No, I am not. You mentioned that  
18 some of the ships you took alongside grounded after you  
19 took them in. Does that affect you?

20 A. No. I named one specific ship.

21 Q. Is it normal to have an increase  
22 of draught when you pass from salt water to fresh water?

23 A. Yes.

24 Q. So there is nothing outstanding  
25 in that, there is nothing particular about that, is  
26 there?

27 A. No, nothing particular about it.  
28 You know the ship is going to settle deeper in fresh  
29 water.

30 Q. Have you piloted ships with





1 bridges aft? :

2 A. Yes.

3 Q. Do you encounter any specific  
4 difficulties?

5 A. With samson posts and derricks,  
6 et cetera, if they are not lowered, I have difficulties.

7 Q. What sort of difficulties?

8 A. Vision. You stand in the centre  
9 line of the ship ---

10 Q. Is it vision to navigating in  
11 the harbour or bringing it alongside?

12 A. Navigating in the harbour, other  
13 ships bearing down on her.

14 Q. How high would the bow be?

15 A. Some of these ships are 500 feet  
16 from the bridge to the forepart. I suppose her bow  
17 flying light may be 40 feet, from water line to stem  
18 head.

19 Q. When you dock or undock a ship  
20 does it impede your vision??

21 A. Going alongside, the approach, yes.

22 Q. It makes the approach more diffi-  
23 cult?

24 A. That is right.

25 COMMISSIONER SMITH: Mr. Jacques, could  
26 I interrupt for a minute?

27 MR. JACQUES: Yes, sir.

28 COMMISSIONER SMITH: Have you ever  
29 handled - I presume you have - one of these giant tankers  
30 with the bridge aft?





1 THE WITNESS: Yes, sir. The ship called  
2 Napier and the Runner, 610 feet from the forepart of  
3 the bridge to the stem.

4 COMMISSIONER SMITH: And have you  
5 experienced considerably more difficulty in piloting  
6 that type than the ordinary type?

7 THE WITNESS: Oh, yes.

8 COMMISSIONER SMITH: Quite a lot more?

9 THE WITNESS: That is correct.

10 COMMISSIONER SMITH: Thank you.

11 Q. Now, I am going to ask you your  
12 opinion. How long have you been a pilot here?

13 A. Since 1931.

14 Q. Have you done anything else in  
15 those years apart from piloting a ship?

16 A. I have been around ships all my  
17 life.

18 Q. The difficulties encountered in  
19 Saint John Harbour as regards navigation in the harbour,  
20 of course - I am not talking about anything else - are  
21 they so great as to make the harbour unsafe?

22 A. Our harbour is not unsafe by any  
23 means.

24 Q. A man with experience, such  
25 experience as is required by the bylaw to become a pilot,  
26 would he have sufficient knowledge to overcome these  
27 difficulties without any danger or with little danger?

28 A. Well, you gain experience as you  
29 proceed along in years in this port. I will be quite  
30 truthful. Before I was in the pilot service - I will go







1 back maybe to 1914 - I have been in the service since  
2 around that time. I still am quite truthful when I say  
3 I still don't know it.

4 Q. You learn every day?

5 A. Yes.

6 Q. You learn in all trades, even in  
7 law.

8 A. Yes. I couldn't say that I truth-  
9 fully know Saint John Harbour.

10 Q. We talked about squatting.

11 A. Yes?

12 Q. What effect does it have on a  
13 ship?

14 A. Well, in narrow channels the ship  
15 will settle; sometimes flotation practically ceases.

16 Q. It means, to all intents and  
17 purposes, she is almost aground?

18 A. Yes, smell the bottom.

19 Q. What danger is there in smelling  
20 the bottom?

21 A. Sheering.

22 Q. Would you explain what you mean  
23 by sheering?

24 A. A ship getting close to the  
25 bottom, she will not answer the rudder. That is one of  
26 the difficulties we have with tankers going into  
27 Courtenay Bay.

28 Q. Is squatting an important factor  
29 only when you take supertankers into Courtenay Bay or is  
30 it with all ships?





1 A. All ships.

2 Q. Regardless of draught?

3 A. Oh, regardless of draught.

4 Q. But is squatting an important  
5 factor regardless of draught?

6 A. If you have sufficient water, no.

7 Q. So squatting would be an important  
8 factor only in the case of a deep draught vessel in  
9 shallow water?

10 A. Yes.

11 Q. Is there a difference in the  
12 squatting of a tanker and the squatting of a cargo ship?

13 A. I would say yes.

14 Q. What difference would there be?

15 A. A tanker, as a rule, is more or  
16 less built like a box. There is a difference.

17 Q. I thought squatting was particu-  
18 larly important at slow speed ---

19 MR. LANGLOIS: I will object to this.

20 After all, the witness is not a naval architect. He can  
21 tell you what takes place, but what causes squatting, I  
22 would say, is for a naval architect. I can tell you that  
23 when we get to Quebec and Montreal we will have an  
24 expert witness in this respect. I don't think it is a  
25 fair question, and I object to it strongly.

26 THE CHAIRMAN: In any event, it doesn't  
27 matter very much. He is talking about his experience  
28 with a tanker and a cargo ship, what happens when he is  
29 in charge.

30 MR. JACQUES: This witness may not be a





1 naval expert, but I recall a question a minute ago where  
2 he was examined in the trend in shipbuilding, so I  
3 imagine if he is able to answer that he should be able  
4 to express an opinion on the difference between the  
5 squatting of a tanker and the squatting of a cargo ship.

6 THE CHAIRMAN: Your objection, in any  
7 event, is before the Commission.

2 8 Q. This morning we heard about  
9 squatting of vessels at slow speed.

10 A. I said, if I remember correctly,  
11 they wouldn't squat as much at slow speed.

12 Q. They would squat just the same.

13 A. No, I disagree with you. They  
14 will squat, but not as much as at a higher speed.

15 Q. But there would be some squat?

16 A. Yes.

17 Q. Is there a difference between the  
18 squatting of a tanker and the squatting of a cargo ship  
19 at slow speed?

20 A. Yes, at slow speed.

21 Q. What difference?

22 A. The way the ship is built.

23 Q. Then what happens? What is the  
24 difference?

25 A. Well, in comparison of the ships,  
26 they will both squat, but one will squat more than the  
27 other.

28 Q. Can you tell that beforehand?

29 A. On certain ships I can't say how  
30 much they will squat, but I know they will squat more.







1 Q. Have you ever had an accident  
2 because of squatting?

3 A. No.

4 Q. To your knowledge, has any other  
5 pilot had an accident because of squatting?

6 A. Not to my knowledge.

7 Q. Is squatting an unusual event?

8 A. Oh, no, never.

9 Q. Is it to be expected?

10 A. Absolutely.

11 Q. Is it to be reckoned with when you  
12 travel in shallow water?

13 A. Yes.

14 Q. It is?

15 A. Yes.

16 MR. LANGLOIS: My Lord, I have only one  
17 question.

18  
19 RE-DIRECT EXAMINATION BY MR. LANGLOIS:

20 Q. Mr. Cobham, reference has been  
21 made by my learned friend to the use of radar coming into  
22 this port. I am showing you here Exhibit 43, which is a  
23 reproduction of this new ship, the Vikara. Would you  
24 tell the Commission, in a ship of this type, having  
25 everything aft, including the radar scanner, the rotating  
26 antenna, could you pick up a small buoy half-a-mile  
27 ahead of that ship coming into harbour?

28 A. I doubt it very much.

29 MR. JACQUES: I object to the question  
30 for the record.





1 MR. LANGLOIS: On what ground?

2 MR. JACQUES: It is a hypothetical  
3 question.

4 THE CHAIRMAN: Reserved.

5 Q. Have you yourself experienced  
6 that it was impossible for a ship of that type, riding  
7 high in the water, to pick up small objects riding low  
8 in the water such as buoys?

9 A. I doubt very much within a half  
10 mile.

11 MR. LANGLOIS: Very good. Thank you.

12  
13 CROSS-EXAMINATION BY MR. McKELVEY:

14 Q. On this question of radar, Mr.  
15 Cobham, was there an event occurred a few years ago when  
16 the pilot boat was sunk by a vessel coming into the  
17 harbour and all hands lost?

18 A. Yes.

19 Q. And was there held a marine  
20 inquiry under The Canada Shipping Act into the circum-  
21 stances of that?

22 A. There was.

23 Q. Did you hear the evidence?

24 A. No, I didn't attend the court.

25 Q. Do you have any information with  
26 respect to the use of radar by the vessel or do you know  
27 anything about the use of radar by the vessel which  
28 collided with the pilot boat?

29 A. No.

30 Q. Now, did you hear the evidence of





1 Mr. Quinn yesterday about the services performed by the  
2 pilots in what we have called movement control and the  
3 set-up of your watches?

4 A. Yes.

5 Q. Do you agree with what he said in  
6 that respect?

7 A. I certainly do.

8 Q. What attempts do the pilots make  
9 to co-operate with shipping agents and others interested  
10 in the movement of vessels?

11 A. They co-operate one hundred  
12 percent.

13 Q. What efforts do you make to do  
14 that?

15 A. There are oftentimes, if I know  
16 the ship is sailing and it is not on our board, I will  
17 call the agent and give the tentative time.

18 Q. Do you go down to the pilot rooms  
19 sometimes when you are not on duty, not on actual assign-  
20 ment?

21 A. Practically every day.

22 Q. Why do you do that?

23 A. A second nature. I was brought up  
24 to it.

25 Q. Apart from that, is there a  
26 reason, dealing with this movement control business?

27 A. Oh, yes; to see if anybody is  
28 there to answer the 'phone, or I will answer it myself.

29 Q. You talked about Irving tankers.  
30 You were talking about Irving tankers leaving Courtenay







1 Bay loaded?

2 A. Yes.

3 Q. The evidence yesterday was about

4 supertankers going into Courtenay Bay, inward, loaded.

5 Can you explain that apparent discrepancy to the Commis-  
6 sion?

7 A. Well, Irving tankers going out  
8 loaded, specially at freshet time, when you get ahead of  
9 the breakwater you have to go full speed with the ship,  
10 and it is absolutely impossible to maintain full speed  
11 and then come down on the helm. With that dredged area  
12 which was proposed, if that was taken out, the ship would  
13 have a little room to drift.

14 Q. The supertankers that go in  
15 loaded, where are they going to?

16 A. Irving Oil.

17 Q. The oil refinery?

18 A. Yes.

19 Q. They are carrying crude oil into  
20 the Irving refinery, are they?

21 A. Yes.

22 Q. And when they leave, what cargo  
23 do they carry?

24 A. The majority go out on ballast.

25 Q. What about the Irving tankers  
26 that go out loaded?

27 A. Loaded with fuel.

28 Q. Where are they coming from?

29 A. They are coming from the Irving  
30 crib.





1 Q. That is the Irving Oil wharf?

2 A. Yes.

3 Q. What sort of petroleum do they  
4 carry?

5 A. Gasoline, stove oil, fuel oil.

6 Q. That is the final product?

7 A. Yes.

8 MR. JACQUES: This is hearsay, again.

9 I have no objection to a little hearsay, but if my  
10 friend makes objection to all hearsay, I will do the  
11 same thing.

12 THE WITNESS: All I have is the master's  
13 word what the cargo is.

14 THE CHAIRMAN: The matter is not very  
15 important, anyway, so go ahead.

16 MR. McKELVEY: I thought that the Commis-  
17 sion may have been confused, because we were talking  
18 yesterday about these large tankers going to the Irving  
19 refinery wharf. The Irving tankers going out loaded are  
20 not supertankers.

21 THE CHAIRMAN: Yes, it was said this  
22 morning.

23 Q. Mr. Cobham, there was some  
24 reference to the fact that dredging in the port of  
25 Saint John is done by the Department of Public Works.  
26 Does it make any difference to the pilots who does the  
27 dredging, whether it is the Department of Public Works  
28 or the Harbour Board?

29 A. No, it is none of the pilot's  
30 business.





1 Q. I would like to deal briefly with  
2 Schedule "D" to our brief which was filed later.

3 Now, the first suggestion on Schedule "D"  
4 is that Split Rock Whistle buoy B19J should be lighted.  
5 Could you tell the Commission, please, why this suggestion  
6 was made? I am showing you Exhibit A to our brief. Can  
7 you identify it?

/dpw 8 A. That is it.

9 Q. It is to the southwest of Split  
10 Rock, which is the western edge of the line on that  
11 exhibit which shows the seaward limits of the district;  
12 is that right?

13 A. That is right.

14 Q. I am showing you Exhibit No. 26.  
15 Would you mark on Exhibit 26 an D-1 alongside that buoy?  
16 Is it suggested by the Saint John pilots that this buoy  
17 should have a light on it?

18 A. We have had numerous complaints  
19 by ship masters coming up that shore. They hear the buoy  
20 but they can't see it. It is a departure buoy for the  
21 buoy off Black Point.

22 Q. Suggestion No. 2 in Schedule "D"  
23 of the brief deals with Partridge Island radio beacon.  
24 Mr. Cobham, I am showing you Exhibit 25, which, Your  
25 Lordship, is B to our submission, if you wish to look at  
26 it.

27 I draw your attention to Partridge  
28 Island. There is a red circle around the Partridge  
29 Island light. What does that red circle designate?

30 A. That is the beacon.







1 Q. That is the radio beacon?

2 A. It was.

3 Q. And the radio beacon is a radio  
4 station which emits a signal at regular intervals which  
5 the ships can take bearings on?

6 A. Right.

7 Q. Is that being moved?

8 A. It is. The new tower is already  
9 built.

10 Q. Now, Mr. Cobham, I do not want you  
11 to tell us anything you do not know of your own knowledge.  
12 What have you seen there that leads you to believe that  
13 something is being done with this radio beacon station?

14 A. The new tower is already construc-  
15 ted on Partridge Island.

16 Q. There is a new tower for the  
17 radio beacon?

18 A. Right.

19 Q. Can you indicate on Exhibit 25  
20 approximately the location of this new tower?

21 A. I can only give it approximately.

22 Q. Approximately.

23 A. Right there.

24 Q. You have placed an X on Partridge  
25 Island south of the lighthouse?

26 A. That is approximate. Sou'west of  
27 the light.

28 Q. And you say that is the approxi-  
29 mate location of the tower for the new beacon?

30 A. That is right.





1 Q. Do you know yourself whether the  
2 beacon is now transmitting from the new tower or not?

3 A. I do not know.

4 Q. Is there a light on that beacon?

5 A. No.

6 Q. In your opinion should there be  
7 if the beacon is going to be located in that spot?

8 A. It should be lighted for calibra-  
9 ting D/F at nighttime.

10 Q. First of all, what is D/F?

11 A. Direction finder.

12 Q. Direction finding equipment on a  
13 vessel?

14 A. That is right.

15 Q. When you calibrate, you talked  
16 about calibrating D/F. What do you mean?

17 A. You take your visuals, your  
18 visual bearing on the beacon and they take the D/F  
19 bearing below. The difference between your two, that  
20 is where they draw their curve.

21 Q. In order to find out whether your  
22 direction finding equipment is pointing in the right  
23 direction, you combine the use of the equipment itself  
24 with the visual observation?

25 A. It is for taking visuals. That  
26 is what they want the light for.

27 Q. Of course, you can't do it at  
28 night with no light?

29 A. Correct.

30 Q. Why do you believe that the radio





1 beacon is going to be moved to a new location?

2 A. Well, just what I heard from the  
3 radio technicians.

4 Q. You were informed by one of the  
5 radio technicians?

6 A. I was discussing it with them  
7 one day, yes.

8 MR. McKELVEY: Your Lordship, I realize  
9 that we are getting into the realm of hearsay, but  
10 possibly, since it is a minor point, I might state this:  
11 that it appears that something is going to be done to  
12 remove the beacon. Our submission is simply that if it  
13 is done, it should be accompanied by the installation of  
14 a light on the same tower. I think it is a minor point,  
15 but perhaps that is the quickest way of getting it on the  
16 record.

17 THE CHAIRMAN: Of course, this could be  
18 verified?

19 MR. JACQUES: Yes, we will verify it.

20 MR. McKELVEY: Your Lordship, if things  
21 go the way it appears that they will by the time the  
22 Commission completes its hearings this thing will be a  
23 fait accompli.

24 MR. JACQUES: We are going to Ottawa  
25 next week, Mr. McKelvey.

26 MR. McKELVEY: You tell them to put a  
27 light on it.

28 Q. Now, I would like to clarify more,  
29 Mr. Cobham, on Item No. 5 on Schedule "D". You refer to  
30 a place called Long Wharf?







1 A. Yes.

2 Q. Would you take Exhibit 25, please,  
3 and mark in by pen the words "Long Wharf" right across  
4 where the wharf is?

5 A. Yes. Long Wharf B and A.

6 Q. You have marked Long Wharf B  
7 and Long Wharf A?

8 A. Yes.

9 Q. Now, Mr. Cobham, that is a new  
10 wharf, is it not?

11 A. Yes.

12 Q. Before the old wharf that was  
13 there ran generally in a north and south direction, did  
14 it not?

15 A. Nearly north and south, yes.

16 Q. When you berth ships in that  
17 wharf you were going in a northerly direction backing  
18 out southerly; is that right?

19 A. Yes.

20 Q. On the face of the new wharf  
21 which you call Long Wharf B, you are now lying ships  
22 in a sou'west-northeast direction?

23 A. That is right.

24 Q. Is that the reason why buoy 62-J  
25 has now become of some importance?

26 A. That is correct.

27 COMMISSIONER SMITH: Could I ask a  
28 question here?

29 MR. McKELVEY: Yes, certainly.

30 COMMISSIONER SMITH: Is the new Long





1 Wharf a marginal type of structure? Is it marginal or  
2 pier type?

3 THE WITNESS: Well, there are sunken  
4 cribs.

5 COMMISSIONER SMITH: Is it along the  
6 margin of the contour of the shore or does it stick out  
7 like fingers?

8 THE WITNESS: One is a finger. One part  
9 of it is a finger.

10 MR. JACQUES: Here is the exhibit.

11 COMMISSIONER SMITH: Oh, yes, I know the  
12 location; it was just a question of the type of structure,  
13 whether it was marginal or what we used to call the pier  
14 or finger type.

15 THE WITNESS: A is more or less a finger  
16 type.

17 Q. One further point, Mr. Cobham;  
18 would you explain again the reason for the additional  
19 suggestion No. 9, the suggestion that the pilot boat be  
20 equipped with a recording depth sounder? You made some  
21 remarks in your evidence this morning that indicated in  
22 navigating ships you do not rely on a depth sounder.

23 A. Quite. The only reason we want  
24 the recorder on the pilot boat is to take a graph  
25 periodically and see what the siltation -- what silt is  
26 accumulating from month to month or week to week, what-  
27 ever it may be, and we have an idea that the channel is  
28 filling in. We don't want it for navigational purposes.

29 Q. Are the channels in Saint John  
30 Harbour and Courtenay Bay susceptible to being filled in





1 by silt?

2 A. They are.

3 Q. From where?

4 A. The last storm we had at the end  
5 of the breakwater in Courtenay Bay, according to the  
6 Public Works Department, it filled in three feet in 24  
7 hours.

8 MR. McKELVEY: Thank you, My Lord, I  
9 have no further questions.

10 COMMISSIONER RENWICK: My Lord, reference  
11 has been made to the dredging. Could I ask who owns the  
12 dredgers? Are they the Department of Public Works'  
13 dredgers or is it contract dredging that is done?

14 THE WITNESS: To the best of my knowledge,  
15 the Standard Dredging Company, which is a subsidiary of  
16 the Saint John Tugboat Company, have one dredge. The  
17 other dredge, the other two, are owned by Saint John  
18 Harbour Development.

19 COMMISSIONER RENWICK: In other words,  
20 they are not the Department of Public Works'?

21 THE WITNESS: That is right.

22 COMMISSIONER RENWICK: Thank you.

23 MR. JACQUES: Mr. Birchall from Miramichi  
24 is here and I should like to hear him in order to allow  
25 him to take his train tonight.

26 THE CHAIRMAN: Will he be long?

27 MR. JACQUES: No, My Lord.

28 THE CHAIRMAN: That is all right, go  
29 ahead.

30 COMMISSIONER RENWICK: He left about five







1 minutes ago.

2 MR. LANGLOIS: May we suggest an adjourn-  
3 ment while he finds Mr. Birchall?

4 THE CHAIRMAN: Yes, we will adjourn now  
5 and I would like to have the lawyers up here.

6  
7 --- Short Recess

8  
9 MR. LANGLOIS: My Lord, may I be permitted  
10 to interrupt at this stage of evidence to bring to your  
11 attention a particular point which is of interest not  
12 only to the pilots, but also to the Commission? My  
13 attention has been drawn by my clients, the members of  
14 the Canadian Merchant Service Guild, to a letter which  
15 was sent on December 20th, 1962, to the pilots of  
16 Halifax individually. I must say right now that I have  
17 no mandate to represent the pilots of Halifax, since  
18 only a few of them are members of the Canadian Merchant  
19 Service Guild, but I was asked by my client to bring  
20 this before this hearing because we are concerned this  
21 situation might repeat itself in connection with other  
22 districts.

23 This letter was a letter written following  
24 up negotiations which took place between officers of the  
25 Department of Transport and the pilots of Halifax in 1961,  
26 the summer of 1961, regarding the advisability of making  
27 the pilots of Halifax prevailing-rate employees of the  
28 Department. I understand from the facts I have been  
29 able to ascertain that these are discussions which took  
30 place in 1961 and were left in abeyance and it was not





1 until December 20th, on the very same day this Commission  
2 opened its first hearings in Ottawa, that the letter was  
3 sent by the Department to these pilots individually  
4 offering them the opportunity to become prevailing-rate  
5 employees under certain conditions.

6 Amazingly enough this letter called for  
7 an answer within 10 days of receipt of same. I am  
8 advised also that the pilots of Halifax replied to this  
9 letter without accepting the offer, but asking for  
10 further particulars, additional information, regarding  
11 the offer made by the Department of Transport. It would  
12 seem that these negotiations might be carried on during  
13 the very same period that this Commission is sitting.

14 I respectfully submit that this type of  
15 negotiation between the Board of Transport and a group  
16 of pilots is improper at this stage because it is a  
17 matter touching on the very subject matter, on one of  
18 the aspects of the subject matter of this inquiry.

19 I am not prepared to go as far as to say  
20 it is contempt of the Commission, but I would say it is  
21 highly irregular.

22 I would respectfully submit that Your  
23 Lordship and you, Mr. Commissioners, make representations  
24 to the Department to leave this matter in abeyance until  
25 such time as your Commission has had time to inquire  
26 into the matter, not only in connection with the pilotage  
27 district of Halifax but also all pilotage districts of  
28 Canada as well and have had the opportunity of making  
29 recommendations that you would deem to make the Depart-  
30 ment at the conclusion of your sittings.







1                   Again, My Lord, I am making this on  
2 behalf of my client, not only in regard to the pilots  
3 of Halifax but in regard to all the pilotage districts  
4 of Canada. I trust that my point will be taken into  
5 consideration.

6                   THE CHAIRMAN: I am sure there won't be  
7 any danger for your client to discuss it while the  
8 Commission is sitting, only for the others.

9                   On the objection you raised about the  
10 Department negotiations being carried out I wish to  
11 point out that our mission, our mandate, is a fact-  
12 finding mandate and we are not empowered to settle any  
13 dispute and before we are through with our investigation,  
14 if everything goes well, we expect to be able to make a  
15 report, our final report, before the opening of navigation  
16 in 1964. We don't know what will happen before we finish.  
17 It might take many months.

18                   This time, while you may think that the  
19 organization of pilots in general will suffer by negotia-  
20 tions being carried on, you must think that in other  
21 districts some circumstances may arise where the pilots  
22 may want an immediate remedy brought to their complaints.  
23 Should they wait until the investigation is finished?  
24 I think we should not interfere with the Department work.  
25 It has to continue. This may be the rule. If the pilots  
26 concerned don't want to carry on it is up to them.

27                   MR. LANGLOIS: May I say something at  
28 this stage? I think I have been misunderstood. It is  
29 not a question of a dispute between the Department and  
30 the pilots. There is no dispute whatsoever. It is only







1 on the part of the Department, the offer to get these  
2 employees to become prevailing-rate employees, and I am  
3 afraid, My Lord, if you will allow me another minute or  
4 so, we have this group of pilots in Halifax and they  
5 will come before this Commission to explain their point  
6 of view, and I am afraid they will be embarrassed, if  
7 they are negotiating with the Department, to voice  
8 differences of opinion in the open. This might interfere  
9 with your fact-finding Commission. The pilots are likely  
10 to be embarrassed because they have the feeling now they  
11 are negotiating with their future employer. If they  
12 become prevailing-rate employees the Board of Transport  
13 will be their employer, and I am afraid, with such a  
14 situation, when the time comes for this Commission to go  
15 to Halifax, the pilots will have that in the back of their  
16 minds and say: "We cannot go before the Commission  
17 and express a point of view which is in disagreement  
18 with the point of view of the Department. We might  
19 suffer by it if the Department becomes our employer."  
20 It is in that light that I am making my objection, other-  
21 wise, I think that the work of your Commission, as far  
22 as these pilots are concerned, will be interfered with  
23 and that your Commission will not, therefore, be getting  
24 facts from the pilots of Halifax with an open mind on  
25 their part as you would otherwise if these negotiations  
26 were stopped.

27 The Department started these negotiations  
28 almost two years ago. It is only a few months until we  
29 get to Halifax and your Commission will have a chance to  
30 get all the information in a free and open manner from





1 the pilots and your Commission would be able to properly  
2 advise, perhaps before the Commission puts in its final  
3 report, advise the Department what it thinks of this  
4 proposition. That is all I have in mind, My Lord.

5 THE CHAIRMAN: Mr. Langlois, you are  
6 not representing those pilots?

7 MR. LANGLOIS: A few of them, that is  
8 quite correct.

9 THE CHAIRMAN: If they feel it is detri-  
10 mental to them there would be any further delay in  
11 settling their dispute, I think we should hear from them,  
12 otherwise by stopping the negotiations we might do a lot  
13 of harm. I think unless some further evidence of harm  
14 is brought to us we are not going to interfere with the  
15 Department's work.

16 Captain Slocombe is here and he is liaison  
17 with the Department. If there is anything to be done  
18 there he is going to bring it to their attention. The  
19 Commission will not.

20 MR. LANGLOIS: Just one more thing: I  
21 am informed, and I might be wrong - I will check my  
22 files - these negotiations were initiated by the Depart-  
23 ment and not by the pilots.

24 THE CHAIRMAN: Thank you very much. You  
25 may carry on.

26 MR. JACQUES: Mr. Higgins, please.

27  
28 DOUGLAS HIGGINS, sworn

29 THE SECRETARY: What is your name?

30 THE WITNESS: Douglas Higgins.





1 THE SECRETARY: Where do you live, Mr.  
2 Higgins?

3 THE WITNESS: 30 Elizabeth Court.

4 THE SECRETARY: In Saint John?

5 THE WITNESS: In Saint John.

6  
7 DIRECT EXAMINATION BY MR. JACQUES:

8 Q. How old are you, sir?

9 A. 42.

10 Q. What is your occupation?

11 A. Civil engineer.

12 Q. For whom do you work?

13 A. Department of Public Works.

14 Q. In Saint John?

15 A. In Saint John.

16 Q. How long have you been a civil  
17 engineer with that Department?

18 A. Since 1949.

19 Q. What is your function with that  
20 Department?

21 A. Assistant district engineer.

22 Q. As such, would you have knowledge  
23 of any dredging which is currently going on in Saint  
24 John Harbour?

25 A. Yes.

26 Q. I show you Exhibit 25 which is a  
27 chart of Saint John Harbour. Would you tell the Commis-  
28 sion if dredging is being carried out, and in the affir-  
29 mative, where, and to what extent?

30 A. At the present time there is a









1 contract in force for dredging Courtenay channel from  
2 the main channel up to and including the turning basin.

3 Q. The whole area of Courtenay Bay,  
4 which is shown in white on the chart, Exhibit 25. Is  
5 it being dredged to a further level of 20 feet or is it  
6 maintenance dredging?

7 A. It is being dredged to 20 feet.

8 Q. It is being dredged to 20 feet?

9 A. Yes, maintenance dredging to 20  
10 feet.

11 Q. It is maintenance dredging to 20  
12 feet. It had already been dredged to 20 feet?

13 A. Yes.

14 Q. In your opinion, and from your  
15 records, would this area of Courtenay Bay and the channel  
16 leading into Courtenay Bay require a lot of maintenance  
17 dredging to keep the dredging at 20 feet?

18 A. Yes.

19 Q. It would?

20 A. Yes.

21 Q. How frequently would dredging  
22 have to be done?

23 A. Yearly, on a yearly basis.

24 Q. On a yearly basis. What is the  
25 amount of silting in that area?

26 A. Approximately 500,000 yards per  
27 year, average, for the whole area.

28 Q. Excuse me, what would that repre-  
29 sent, how many feet or inches?

30 A. Roughly, it would be 1.3 or 1.4





1 feet over the entire area silted evenly over the year.  
2 As it happens, in some cases, siltation is much greater,  
3 sometimes much less.

4 Q. So it doesn't silt evenly?

5 A. No.

6 Q. What are the worst areas in  
7 Courtenay Bay for silting?

8 A. I would say that the area to the  
9 southeast - southwest end of the breakwater would be one  
10 of the worst for siltation, also the turning basin.

11 Q. In Saint John Harbour proper are  
12 you currently carrying out dredging operations?

13 A. No, there is no contract anywhere  
14 at the present time.

15 Q. When was maintenance dredging in the  
16 Saint John area previously done? You may refer to your  
17 notes and to your file if you wish.

18 A. During 1961, a small amount of  
19 dredging was done on the main channel in this area.

20 Q. You are indicating the junction  
21 of Courtenay Bay channel and the main channel?

22 A. Yes.

23 Q. Slightly north of buoy 54-J?

24 A. Right, and in 1960 the Partridge  
25 Island shoal.

26 Q. You are indicating the vicinity  
27 of buoys 49-J and 47-J?

28 A. Yes.

29 Q. That is the only dredging which  
30 has been done in the Saint John Harbour proper?





1 A. There has been dredging previous  
2 to that; in 1957, this area from the junction north to  
3 58-J was dredged.

L/dpw 4 Q. From 54-J to 58-J?

5 A. Yes.

6 Q. Is there any requirement for  
7 maintenance dredging in Saint John Harbour?

8 A. With the exception of those two  
9 areas, very little.

10 Q. Off Partridge Island and the northern  
11 reach of the main channel?

12 A. Yes.

13 MR. JACQUES: Thank you, sir.

14 COMMISSIONER SMITH: Mr. Higgins, there  
15 was some evidence given, today, I think, that in freshet  
16 time as much as 3 feet of silt was deposited in Courtenay  
17 Bay channel in a period of 24 hours. I hope that is what  
18 the evidence was. That is what I thought it was - at  
19 the freshet time, or storm.

20 THE WITNESS: As near as I could say from  
21 the records, we take the siltation during a four-week or  
22 six-week period between soundings that we take of the  
23 channel bottom.

24 COMMISSIONER SMITH: Well, it was the  
25 24-hour period that I was referring to.

26 I have no more questions to ask.

27 Q. Mr. Higgins, you mentioned a  
28 subject that is dear to my heart in examining a pilot.  
29 You mentioned soundings?

30 A. Yes.







1 Q. Do you take soundings in the main  
2 channel in Courtenay Bay?

3 A. Yes.

4 Q. How often do you take soundings?

5 A. Oh, every four weeks to six weeks,  
6 generally.

7 Q. With a sounding machine?

8 A. Yes.

9 Q. Is this information available to  
10 anyone who wishes to obtain it?

11 A. Yes.

12 Q. If a pilot were to ask for a  
13 report on the depth of the northern reach of the main  
14 channel, would you be able to give it to him?

15 A. We would give it effective on the  
16 day it was taken.

17

18 CROSS-EXAMINATION BY MR. LANGLOIS:

19 Q. When you do take soundings of  
20 this kind and you find a difference in the depth, do you  
21 report it to the marine agent so that he can send a  
22 marine broadcast out?

23 A. We send the charts of the sounding  
24 periodically to the port manager and the marine agent.

25 Q. Does he broadcast it, do you know?

26 A. I don't know.

27 Q. Do you know if there are notices  
28 to shipping sent about these differences in soundings?

29 A. There is a reference on the chart  
30 which is a caution which refers to this.





1 MR. JACQUES: Thank you very much, sir.

2  
3 CROSS-EXAMINATION BY MR. McKELVEY:

4 Q. You don't always send the  
5 sounding charts to the pilots, do you? Do you regularly  
6 send them to the pilots?

7 A. No, I don't.

8 MR. JACQUES: Have you had a request to  
9 do so, to forward automatically to the pilots the results  
10 of your sounding?

11 THE WITNESS: To the best of my knowledge,  
12 no.

13 MR. JACQUES: Thank you, sir.

14 MR. LANGLOIS: It is not a normal channel  
15 for seamen to get information from the Department of  
16 Public Works. The normal channel is the marine agent  
17 who broadcasts notices to shipping.

18 THE CHAIRMAN: I gathered that he is  
19 sending regular charts of the new soundings to the port  
20 authorities.

21 MR. LANGLOIS: Yes, but the man who is  
22 charged with broadcasting or divulging information of  
23 this kind to mariners is the district marine agent, who  
24 has the facilities to do that.

25 Q. Mr. Higgins, I show you Exhibit  
26 25, the Saint John Harbour chart, and I draw your atten-  
27 tion to a line on that chart at a place where there is  
28 marked D6 in pen to the westward of buoy 67.5-J. There  
29 is a triangular area shown there in pen off the white  
30 channel. Is there any dredging being done now in that





1 triangular area outside the white channel?

2 A. No.

3 Q. As far as you are aware, is there  
4 any dredging being planned for that area?

5 A. As far as I know, there is no  
6 dredging planned.

7 Q. I show you further down on this  
8 chart a line marked D7. Is there any dredging contem-  
9 plated in that area off the area marked as the channel?

10 A. No.

11 MR. McKELVEY: No further questions, My  
12 Lord.

13 THE CHAIRMAN: Thank you, Mr. Higgins.

14 MR. McKELVEY: My Lord, I might observe  
15 that the two places I referred to were the locations we  
16 had suggested that some dredging should be done.

17  
18 FREDERICK M.J. QUINN, recalled

19 RE-CROSS-EXAMINATION BY MR. JACQUES:

20 Q. Mr. Quinn, you have just heard  
21 the evidence concerning soundings in the channels?

22 A. Yes.

23 Q. Have you ever thought of asking  
24 the district marine agent or the harbourmaster or the  
25 resident or Chairman of the National Harbours Board to  
26 supply you with information obtained by the Public Works  
27 Department of soundings in the channel?

28 A. We have repeatedly asked for the  
29 latest soundings. I don't know who that request was  
30 directed to. It has gone to our superintendent that we







1 would like the latest soundings for docks and channels.  
2 It doesn't come around every four to six weeks, it is  
3 four to six months, generally.

4 Q. But do you get that information?

5 A. No. The only way we get that  
6 information, I think a confrere of mine has gone up and  
7 got it from the Public Works Department. We don't get  
8 it directly to the pilots from the Public Works Depart-  
9 ment.

10 Q. Before this afternoon did you know  
11 that you could get that information from the Public Works  
12 Department?

13 A. I didn't know it was available so  
14 easily. We had the opinion that it should be available.

15  
16 CROSS-EXAMINATION BY MR. LANGLOIS:

17 Q. Is it not a fact, Mr. Quinn, that  
18 the office from which you can obtain any information  
19 regarding shipping and navigation is the district  
20 marine office?

21 A. If I get your question rightly,  
22 you mean only officially?

23 Q. Yes.

24 A. I would say officially, yes.

25 Q. That is to pass it on to shipping?

26 A. I think you would be right there.

27 Q. Do you receive notices to shipping?

28 A. We receive notices to mariners.  
29 They are sent to our superintendent and he gives them  
30 to us.





1 Q. Don't you receive notices to  
2 shipping, too?

3 I might explain, My Lord, that you have  
4 notices to mariners. Notices to mariners are to advise  
5 seamen of permanent changes or permanent dangers in  
6 navigation. Notices to shipping are to inform ships  
7 and seamen of temporary dangers in the channels, and  
8 these notices to shipping and notices to mariners are  
9 issued through the local marine agent of the office of  
10 the Transport Board and are broadcast to ships at sea,  
11 and that is the only way to get official information.  
12 I think a good seaman should get his information from  
13 the only authorized source, which is the district marine  
14 agent.

15 MR. JACQUES: I think my friend is going  
16 too far there. He seems to imply that it is forbidden  
17 for pilots to seek information where information is  
18 available and that they must follow proper channels even  
19 at the risk of endangering the lives of people on board  
20 the ship.

21 Sir, I show you a notice dated August  
22 21st, 1962. Did you ever receive such a notice?

23 THE WITNESS: Yes, I did.

24 Q. LANGLOIS: Is that on file in your  
25 office?

26 A. Yes, it is on file. I thought  
27 we were discussing the depth of the channel.

28 MR. JACQUES: I will file this as  
29 Exhibit 44, being Department of Transport notice to  
30 shipping, an example of a notice to shipping, dated





1 August 21st, 1962.

2 MR. LANGLOIS: My Lord, my learned friend  
3 should show you the notice. It has nothing to do with  
4 this, it has nothing to do with dredging.

5 MR. JACQUES: My Lord, my learned friend  
6 has given full information as to how and where these  
7 notices are published. I am merely giving to the  
8 Commission an example of such notice, and I asked where  
9 the pilot got it.

10 MR. LANGLOIS: Why do you suggest they  
11 go to the Public Works, then?

12  
13 --- EXHIBIT NO. 44: Example of a notice to shipping  
dated August 21st, 1962.

14 RE-CROSS-EXAMINATION BY MR. JACQUES:

15 Q. Mr. Quinn, silting of one foot  
16 during the year, is it very dangerous to shipping?

17 A. I would say silting of one foot a  
18 year without our knowledge would be dangerous to shipping.  
19 If I am depending on a draught going into Courtenay Bay  
20 of 16 feet and this channel silts one foot and I am not  
21 aware of it, I would consider it dangerous.

22 Q. Talking about draughts, your  
23 difficulties as regards draught, are they applicable  
24 only to supertankers or to all your shipping?

25 A. They are applicable to all our  
26 shipping, in the main channel even. One of our bad  
27 features here is that our main channel has a limiting  
28 depth of 25 feet.

29 Q. Is it not 28 feet?  
30







1 MR. McKELVEY: My Lord, I would like to  
2 point out here that there is a caution. My learned  
3 friend has referred to a statement that it is dredged  
4 to 28 feet, but there is a caution.

5 THE CHAIRMAN: Yes, we have seen that.

6 Q. Would you explain the meaning of  
7 the caution shown on Exhibit 25?

8 A. It is self-explanatory here; it  
9 is due to continuous silting. I think it was through  
10 our superintendent that we have a section of the channel  
11 showing - I believe it is from Public Works - showing  
12 25 feet patches on the starboard hand and also on the  
13 port hand jutting out into the main channel, and I submit  
14 that is not on this chart. So it is not brought up to  
15 date.

16 Q. You found out about that 25 feet?

17 A. I am accepting the Public Works  
18 soundings on it. I am forced to accept that. We had  
19 occasions that we were sounding ourselves in Courtenay  
20 Bay on a particular case, and we were told that our  
21 soundings were not worthwhile, they were not admissible  
22 as official soundings, that we must go by official  
23 soundings.

24 Q. Don't you think their soundings  
25 are right?

26 A. I am accepting 25 feet. I am not  
27 going to take a chance and go against those soundings.

28 Q. To your knowledge, since you have  
29 been a pilot, has there been one occasion when extensive  
30 silting has taken place and you didn't know about it at





1 all in time to take action?

2 A. Well, this reference to silting  
3 of Courtenay Bay channel just outside the end of the  
4 breakwater, I had no knowledge of that; at the time the  
5 silting was actually in the channel, I didn't know there  
6 was that much silt in it.

7 Q. Did you have an accident?

8 A. No, I didn't have an accident.

9 Q. To your knowledge, have there been  
10 any accidents due to that fact?

11 A. I can't cite any, no.

12 MR. JACQUES: Thank you, sir.

13

14 RE-CROSS-EXAMINATION BY MR. LANGLOIS:

15 Q. Mr. Quinn, is it not a fact that  
16 quite recently the supervisor of pilotage had to advise  
17 against dumping into the channel?

18 A. He advised the dredge not to dump  
19 into the channel. Actually he advised the dredge by  
20 'phone not to dump where he intended to dump.

21 MR. LANGLOIS: That is all.

22 MR. JACQUES: Captain MacKinnon.

23

24 CAPTAIN JOHN A. MacKINNON, sworn

25 THE SECRETARY: Where do you live?

26 THE WITNESS: 32 Cabot Court, Saint  
27 John.

28 THE SECRETARY: What is your occupation,  
29 please?

30 THE WITNESS: I am District Supervisor





1 of Pilots.

2 MR. JACQUES: Before I go on with my  
3 examination of Mr. MacKinnon, I should like to file  
4 some exhibits, being extracts of his files and the  
5 Department file concerning the district of Saint John.

6 The first is Exhibit 45, which is the  
7 annual return for the district for the year ending 31st  
8 December, 1962.

9 MR. McKELVEY: Your Lordship, I wonder  
10 if it would be asking too much if I could look at them  
11 before they are filed?

12 MR. JACQUES: Yes, certainly.

13  
14 --- EXHIBIT NO. 45: Annual return for the district of  
15 Saint John for the year ending  
16 31st December, 1962.

17 DIRECT EXAMINATION BY MR. JACQUES:

18 Q. Captain MacKinnon, I show you a  
19 document. Will you tell me what it is, please?

20 A. It is the annual report of the  
21 operation of the district for the year 1962.

22 MR. LANGLOIS: The title of the document  
23 is different.

24 THE WITNESS: Every page has a title.

25 Q. Captain, I show you now another  
26 document which I propose to file as Exhibit 46. Will  
27 you tell the Commission what it is?

28 A. The annual report for the year  
29 ending December 31st, 1961.

30







1 --- EXHIBIT NO. 46: Annual report of the pilotage  
2 district of Saint John for the  
3 year ending December 31st, 1961.

4 Q. And I show you another document  
5 which I will now produce as Exhibit 47. Will you tell  
6 me what it is?

7 A. This is the report for the year  
8 ending 31st March, 1960.

9  
10 --- EXHIBIT NO. 47: Annual report for the pilotage  
11 district of Saint John for the  
12 year ending 31st March, 1960.

13 MR. JACQUES: Exhibit 48, annual returns  
14 for 1958, 1959.

15  
16 --- EXHIBIT NO. 48: Annual returns for the pilotage  
17 district of Saint John for 1958,  
18 1959.

19 MR. JACQUES: Exhibit 49, annual reports  
20 for 1957, 1958.

21  
22 --- EXHIBIT NO. 49: Annual reports for the pilotage  
23 district of Saint John for 1957,  
24 1958.

T/dpw 24 MR. JACQUES: As Exhibit 50, statement  
25 on the pension fund of the pilots.

26  
27 --- EXHIBIT NO. 50: Statement on the pilot pension  
28 fund.

29 MR. JACQUES: As Exhibit 51, a list of  
30





1 the pilots engaged in piloting in the district showing  
2 the date of their licence and their age.

3  
4 --- EXHIBIT NO. 51: List of pilots, their age and date  
5 of licence, Saint John district.

6 MR. McKELVEY: May I ask the witness  
7 what this Exhibit 51, the list of Saint John pilots,  
8 was taken from?

9 THE WITNESS: It was taken from the  
10 register.

11 MR. JACQUES: And as Exhibit 52, an  
12 Order in Council PC 1959-19/1093, concerning the taking  
13 over of the pilot boat by the Department of Transport.

14  
15 --- EXHIBIT NO. 52: Order in Council PC 1959-19/1093.

16  
17 MR. LANGLOIS: I notice that none of  
18 these exhibits are certified copies or signed. I would  
19 like to know who prepared them. Is it the witness or  
20 somebody else?

21 MR. JACQUES: They were prepared by the  
22 Department of Transport in Ottawa at our request.

23 THE CHAIRMAN: We will have them certi-  
24 fied.

25 MR. JACQUES: If you insist on having  
26 them certified, I will ask immediately the representative  
27 of the Department of Transport, the Director of Marine  
28 Division, to do so.

29 THE CHAIRMAN: I think it might be  
30





1 better.

2 MR. LANGLOIS: More than that I do not  
3 know about the law of evidence here, but under our  
4 Quebec law it should be certified by the Deputy Minister  
5 of Transport. He is the only one capable of identifying  
6 public documents to be used in court.

7 THE CHAIRMAN: Mr. Jacques, so will you  
8 have them certified properly in Ottawa when we return?

9 MR. JACQUES: Yes, My Lord.

10 MR. LANGLOIS: In other words, are we  
11 going to be provided with a list of exhibits? It is  
12 pretty hard to follow all these exhibits.

13 THE CHAIRMAN: I am pretty sure it will  
14 be arranged.

15 MR. JACQUES: Yes, My Lord, a photo copy  
16 of the running list of exhibits will be available to  
17 anyone who wants them.

18 THE SECRETARY: A list?

19 MR. JACQUES: A photo copy of your list.

20 THE SECRETARY: Not the exhibits them-  
21 selves?

22 MR. JACQUES: No, no, but a list of  
23 exhibits.

24 Q. How long have you been supervisor  
25 in Saint John, Captain MacKinnon?

26 A. Since the 1st of June, 1949.

27 Q. Before being supervisor what was  
28 your occupation?

29 A. I was a naval officer, merchant  
30 service.







1 Q. You were a naval officer? Do I  
2 take it that you were in the Royal Canadian Navy?

3 A. Yes.

4 Q. What rank did you attain in the  
5 Canadian Navy, sir?

6 A. Captain.

7 Q. How long were you in the navy?

8 A. On active service from 1941 to  
9 1946, and then on reserve strength from 1947 until 1958,  
10 I think it was.

11 Q. What rank did you have when you  
12 joined the Canadian Navy?

13 A. Mate.

14 Q. What rank did you enter the navy?

15 A. Mate.

16 Q. Is there such a thing?

17 A. Yes, there is a rank of mate.

18 Q. Excuse my ignorance.

19 A. I was a mate, not a skipper.

20 Q. What did you have on your sleeve?

21 A. One intertwined stripe.

22 Q. Very, very thin?

23 A. No. The same braid as a chief  
24 skipper, but I was not. I was a mate. Mates were, in  
25 other words, overage sub-lieutenants with foreign-going  
26 certificates.

27 Q. I heard you mention that you  
28 served in the merchant navy. How long did you serve in  
29 the merchant navy, sir?

30 A. From 1931 until I joined the navy.





1 Q. Did you obtain any certificate of  
2 competency in the merchant navy?

3 A. Yes, I did.

4 Q. Would you state what those certi-  
5 ficates would be?

6 A. Master of foreign-going.

7 Q. Did you serve as master of ships?

8 A. Not in the merchant service, no.  
9 In the navy.

10 Q. Sir, I would refer you to the  
11 bylaw, Section 3, which states that the supervisor  
12 shall have the direction of pilots and make orders for  
13 the effective carrying out of this bylaw and without  
14 limiting the generality of the foregoing may make orders  
15 in certain respects. Have you such orders, sir, and if  
16 so, what are they?

17 A. Yes, I make orders. I have  
18 carried on from my predecessor the general operation.  
19 I make specific orders from time to time and as to who  
20 should be in which watch and so on.

21 Q. Is this done in writing or  
22 verbally?

23 A. Sometimes in writing and sometimes  
24 verbally.

25 Q. Have you an example of an order  
26 which was written?

27 A. Yes.

28 Q. You mentioned a watch. Have you  
29 a statement - what is the latest statement of the watch  
30 which you have?





1 A. Yes, that was the latest one,  
2 the 30th of November, 1962.

3 MR. JACQUES: Would you file now as  
4 Exhibit 53 a document entitled "Memorandum to Pilots"  
5 and stating what watches will be maintained until  
6 further notice. It is dated the 30th of November, 1962.

7  
8 --- EXHIBIT NO. 53: "Memorandum to Pilots," dated  
9 November 30th, 1962.

10 Q. Did you prepare this document  
11 alone or in co-operation with the pilots?

12 A. With the Pilots' Committee. In  
13 consultation with the Pilots' Committee.

14 Q. Are watches similar throughout  
15 the year?

16 A. No, they are different in the  
17 slack season, in the summer season.

18 Q. Have you an example of the watch  
19 system during the slack season?

20 A. Yes, one last April. April 11th,  
21 1962.

22 MR. JACQUES: You file this as Exhibit  
23 54.

24  
25 --- EXHIBIT NO. 54: Memorandum to pilots, dated April  
26 11th, 1962.

27  
28 Q. Are there any other written  
29 orders which you prepare for the administration of the  
30 district?







1 A. From time to time - I did not  
2 bring the whole list with me. Watch lists here for  
3 1961, and I have one here for the new pilot that was put  
4 on, instructions for him.

5 Q. Do you make orders for the use of  
6 buildings and equipment by pilots?

7 A. I have nothing written at the  
8 moment, no.

9 Q. Is there a sort of gentleman's  
10 agreement between you and the pilots on that subject?

11 A. I think so, yes. There are  
12 written instructions for pilot vessel crews, but not for  
13 pilots themselves.

14 Q. We are concerned with pilots, not  
15 pilot vessel crews. Have you made instructions for the  
16 attendance of pilots before you?

17 A. As necessary, yes.

18 Q. Are those instructions written  
19 or verbal?

20 A. No. If I want a pilot to attend  
21 before me I tell him so, or I have in the past written  
22 him, if necessary.

23 Q. It is next door, anyway?

24 A. Yes.

25 Q. Have you brought with you an  
26 example of a pilotage card?

27 A. Yes.

28 Q. Of the type currently in use?

29 A. Yes. The pilot source form.

30 Is that what you mean?





1 MR. JACQUES: This is the same type as  
2 has been filed by the pilots, so I do not think we need  
3 file it.

4 THE CHAIRMAN: Filed by Mr. Quinn?

5 MR. JACQUES: Yes.

6 Q. Have you also brought with you  
7 an invoice which you send to ship's agent for collecting  
8 pilotage dues?

9 A. Yes, I have.

10 MR. JACQUES: Would you file this invoice  
11 as Exhibit 55?

12  
13 --- EXHIBIT NO. 55: Invoice No. 90801.

14  
15 THE WITNESS: What is the number of it?

16 Q. 90801. Who prepared this invoice,  
17 sir?

18 A. My office.

19 Q. Who sends it out?

20 A. My office.

21 Q. Who collects the money?

22 A. My office.

23 Q. The Commission wonders are you  
24 obliged to account for these invoices?

25 A. Yes.

26 Q. Would you prefer that we cancel  
27 the production of this exhibit?

28 THE CHAIRMAN: On the document it is  
29 marked cancelled so that it will never be used again.

30 THE WITNESS: Yes, very well, if you will.





1 I have to account for it to the auditors.

2 Q. Would you indicate to the  
3 Commission what roughly speaking it contains?

4 A. From the pilot source form we  
5 get the information, the name, nationality, tonnage,  
6 draught, and other information from that pilot source  
7 card. The pilotage district of Saint John, the date,  
8 name of vessel, the name of the pilot, date service was  
9 performed, the type of service performed, and then there  
10 are various columns, some we use and some we do not.  
11 The tonnage, gross net, movage, detentions, so much per  
12 hour, surcharge, if any, and other charges. In Saint  
13 John our "other charges" are pilot boat charge.

14 In the column to the right the amount  
15 payable for these services are entered and totalled up  
16 at the bottom, and it is stamped with a rubber stamp  
17 "Please make cheque payable to the Saint John pilotage  
18 authority," and it is Form No. 1916.

19 Q. It is prepared by you from infor-  
20 mation which is given by the pilot?

21 A. Obtained on the source card.

22 Q. Now, sir, I refer you to Section 9  
23 of the bylaw, pilotage fund, which states that the monies  
24 are received by you as authority and credited to an  
25 account. Have you ever had difficulties in collecting  
26 pilotage dues from ships?

27 A. Never.

28 Q. Never?

29 A. I qualify that slightly. In the  
30 time I have been here we have written off one pilotage







1 due in the amount of \$18.15. We have never been able to  
2 find her, and that is the only money we have never  
3 collected in Saint John in my time.

4 Q. That is since 1959?

5 A. Since 1951.

6 Q. Do you keep accounts of the monies  
7 received and paid out?

8 A. Very definitely.

9 Q. I refer you now to sub-section 2  
10 of Section 9 of the bylaw, sir. Have you brought with  
11 you an example of the accounts which you have to keep  
12 under that sub-section 2?

13 A. I brought with me copies of the  
14 monthly statements that we forward to the Department.  
15 Monthly financial statements. One copy goes to the  
16 Chief Treasury Officer and one copy to the Superintendent  
17 of Pilotage.

18 THE CHAIRMAN: You may quote them right  
19 now so they are in the proper sequence and you will see  
20 that copies are made in Ottawa?

21 MR. JACQUES: I have not intended to  
22 file this detailed information. The annual return  
23 contains a summary of this information. This is just to  
24 show the Commission the paper work which he does every  
25 month as regards funds.

26 Q. Referring again to Section 9 of  
27 the bylaw, sir, sub-paragraph 2, and sub-section B, it  
28 states that the accounts rendered by the pilots for  
29 expenses incurred in the course of their duties are  
30 deducted. Have you ever received such accounts from





1 pilots?

2 A. Not for expenses incurred locally,  
3 no.

4 Q. What sort of expenses?

5 A. Only expenses that are paid from  
6 the fund are the expenses for a delegate to the annual  
7 convention of the Pilots' Committee of the Canadian  
8 Merchant Service Guild.

9 Q. Those are the only expenses?

10 A. They are the only expenses that  
11 come out.

12 Q. What about a division of the  
13 surplus which you do at the end of each month? Sub-  
14 section 3 of Section 9 states that you compute the  
15 shares of the pilots and the net revenue of the district  
16 on the basis of time worked by each pilot during the  
17 month. How do you reckon the time worked, sir?

18 A. Unless a pilot is suspended or  
19 on leave without pay or on sick leave at half pay, or  
20 possibly he is on sick leave without pay, he is a full-  
21 time pilot.

22 Q. Thank you, sir. I refer you now  
23 to Section 10 of the bylaw, notice of requirement of  
24 pilots. This is related to the evidence which we had  
25 yesterday and today concerning the custom established in  
26 Saint John for masters and agents to get in touch with  
27 their pilots. You are aware of that custom?

28 A. Oh, yes.

29 Q. Are you aware of the evidence  
30 which was given this morning?





1 A. Yes.

2 Q. In your opinion is it substantially  
3 true and correct?

4 A. Substantially so, yes.

5 Q. Have you had any adverse comments  
6 from shipping as regards that custom?

7 A. No adverse comments. The odd  
8 small complaint if they can't get anybody sometimes,  
9 that is all.

dpw 10 Q. That is all?

11 A. The telephone answering service  
12 isn't what they are looking for.

13 Q. Have you ever had any complaints  
14 by pilots as regards this work, this extra work?

15 A. No.

16 Q. To your knowledge do all the  
17 pilots normally attend at the pilotage office for this  
18 type of work, that is, making arrangements between the  
19 agent and master?

20 A. I would say over the period all  
21 of them are there at some time or the other, some to a  
22 much greater extent than others.

23 Q. Now, sir, I refer you to Section 13  
24 concerning pilots' examinations. Have you ever had an  
25 examination board, sir?

26 A. Yes.

27 Q. In your office as supervisor?

28 A. Yes.

29 Q. Would you briefly state to the  
30 Commission what procedure was followed at that time?







1 A. The candidates, first of all, they  
2 have a written examination which is gone over by the  
3 board.

4 Q. Excuse me, when you say written  
5 examination, you mean he gets written questions?

6 A. Yes.

7 Q. Who prepares those questions?

8 A. Some questions prepared locally  
9 and some questions prepared in Ottawa.

10 Q. How many questions are on the  
11 paper, roughly?

12 A. Perhaps half-a-dozen in each case.

13 Q. How many prepared in Ottawa and  
14 how many locally?

15 A. About 50-50.

16 Q. Who prepares them locally?

17 A. I do.

18 Q. You do?

19 A. Sometimes with the Pilots' Committee.

20 Q. Together with the Pilots' Committee?

21 A. We have done, yes.

22 Q. Is there any other examination  
23 given to the candidate?

24 A. Yes, if they have finished the  
25 written paper and it is gone over by the Committee and  
26 if the written paper is passed we call them in for an  
27 oral examination.

28 Q. If I understand you rightly the  
29 examination is corrected, not by you, but by the Pilots'  
30 Committee?





1 A. By the board as a whole, myself  
2 as Chairman.

3 Q. By the board?

4 A. Yes.

5 Q. Is there an oral examination?

6 A. Yes, there is an oral examination.  
7 If the written examination is passed they are called in  
8 for an oral examination or interview.

9 Q. Are questions prepared before the  
10 examination for that?

11 A. Not for the oral section, no.

12 Q. What is the subject matter of  
13 this oral examination?

14 A. His knowledge of - his background,  
15 his knowledge of shipping, his knowledge of handling,  
16 his knowledge of navigation aids and peculiarities of  
17 the district, courses in and out of various channels,  
18 anything relating to the district.

19 Q. I take it that he has an eyesight  
20 and hearing examination?

21 A. Yes.

22 Q. Before whom is this examination  
23 carried out?

24 A. The medical examiner from the  
25 Department of National Health and Welfare for medical.  
26 I generally hold the eyesight examination under authority  
27 as Examiner of Masters and Mates.

28 Q. Which you are?

29 A. Yes.

30 Q. What is the eyesight examination





1 you give the pilot?

2 A. There is the lantern test for  
3 colour and the snellen test for letters. It is an  
4 examination prescribed for masters and mates of home  
5 trade, inland and island waters.

6 Q. I gather from the bylaw if the  
7 candidate has successfully passed this examination he  
8 is appointed a probationary pilot?

9 A. A probationary pilot.

10 Q. What is the length of his proba-  
11 tion, sir?

12 A. In this district it has been one  
13 year.

14 Q. One year?

15 A. Yes.

16 Q. Has there been any regulation  
17 concerning the payment and the duties of this probationary  
18 pilot?

19 A. Yes, through a memorandum I laid  
20 down in consultation with the Department and the pilots,  
21 duties, his pay and tonnages he should be limited to.

22 Q. Have you got a copy of this  
23 memorandum with you, sir?

24 A. I have a sample of one with Mr.  
25 Valis' name on it.

26 Q. Would you file this memorandum  
27 concerning probationary pilot Valis as Exhibit 56?  
28 It is dated October 16th, 1961.

29 --- EXHIBIT NO. 56: Sample of a memorandum to pilots of  
30 the district advising of the issue  
of a licence to a probationary pilot.







1 Q. I notice that this memorandum  
2 states that "for the first six months he is limited to  
3 piloting vessels of less than 3,000 net registered  
4 tonnage and will be paid at the rate of two-thirds that  
5 of a regular pilot." Has this been discussed with the  
6 Pilots' Committee?

7 A. It has been a custom here as long  
8 as I have been here, a probationary pilot has been paid  
9 two-thirds for the first six months and three-quarters  
10 for the second six months.

11 Q. Have you ever received any  
12 complaints about that?

13 A. No.

14 Q. I read further from the document,  
15 Exhibit 56: "He is assigned to Watch 2 with Pilots  
16 Abrams and Merriam but will also be available to pilot  
17 smaller vessels which may arrive, depart or move during  
18 the duty periods of other watches." What does that  
19 mean? Does that mean that he will pilot on the watch,  
20 pilot during the second watch and during the other  
21 watch he will go out on duty?

22 A. He is limited to piloting smaller  
23 vessels under 3,000 tons, but to help gain experience  
24 he is given as many jobs to do as possible. In other  
25 words, he is overworked but gains lots of experience in  
26 his first few months.

27 Q. Was he instructed to accompany  
28 other pilots to gain experience before he tried the  
29 examination?

30 A. He did on his own initiative.





1 Q. Do you think such experience  
2 prior to an examination is of value?

3 A. Very definitely so.

4 Q. You do. Now, coming to discipline,  
5 which is under your jurisdiction, sir, would you tell  
6 the Commission whether you have had any problems since  
7 you have been appointed supervisor as regards discipline?

8 A. Nothing of a serious nature,  
9 certainly not recently, anyway.

10 Q. Not recently?

11 A. When I first took over the job  
12 I had a problem.

13 Q. Would you explain that problem  
14 to the Commission and state what measures were taken?

15 A. We had a chronic alcoholic, I  
16 guess, and he finally was let out after numerous fines  
17 and suspensions and what-not.

18 Q. Would you also give to the Commis-  
19 sion an example of these minor breaches of discipline,  
20 if such there be, in the past five years, sir?

21 A. In the past five years - well, I  
22 have lost track of the date - four years ago, one pilot  
23 was dismissed more for neglect of duty and unsuitability  
24 than anything else. In the past year I have only had  
25 one minor case where a pilot was suspended for two weeks  
26 for intoxication.

27 Q. That is all?

28 A. Yes.

29 Q. Now, sir, as regards the regula-  
30 tions concerning leave of absence and sick leave, have





1 you had any complaints from the pilots on that heading?

2 A. No.

3 Q. In a general way, sir, concerning  
4 shipowners or masters, have you had any complaints  
5 against the Saint John Harbour pilots?

6 A. No.

7 Q. Now, sir, I understand that you  
8 keep a record, a detailed record, of jobs which are  
9 done and this is done in the order in which they arrive  
10 and that is kept throughout the year?

11 A. Oh, yes.

12 Q. Would you show the Commission  
13 this record, please? Would you kindly explain to the  
14 Commission what this contains?

15 MR. McKELVEY: Could I examine that,  
16 please?

17 Q. Would you care to come up and  
18 follow the explanation given to the Commission?

19 A. The page is divided in a number  
20 of columns, first there is date, name of the ship,  
21 nationality of the ship, the draught, the net tonnage,  
22 the job performed, the name of the pilot performing the  
23 job and the amount charged for the job, the pilot boat  
24 charge and the invoice number.

25 Q. I see mention of ds and mov;  
26 would you explain that?

27 A. In is inward, out is outward,  
28 mov is movage and ds is dead ship movage.

29 Q. Dead ship movage?

30 A. Cancellations; you might have a







1 detention, you might have a compass adjustment and you  
2 might have trial trips, movage of dead ships.

3 Q. Now, sir, what do you call this  
4 book which was exhibited to the Royal Commission?

5 A. I never thought of a name for  
6 it.

7 Q. This is a good time.

8 A. On the outside it has Pilot's  
9 Returns; I suppose that is as good a name as any. I  
10 never thought of a particular name for it.

11 Q. How far back does the information  
12 contained in that book go?

13 A. This book goes back to the 1st  
14 of April, 1955.

15 Q. Is it kept up to date?

16 A. Yes.

17 Q. Would you, as an example of the  
18 work done in Saint John, give the Commission the number  
19 of jobs done by the busiest pilot in the busiest month  
20 in 1962 and also the number jobs done by the busiest  
21 pilot in the least busy month in the year 1962?

22 A. In 1962 March was the busiest  
23 month. There were two...

24 THE CHAIRMAN: Before you enter another  
25 subject, am I right in thinking this form is a form  
26 only used here, made up for local purposes?

27 MR. JACQUES: No.

28 THE WITNESS: It is local.

29 THE CHAIRMAN: It is a local form?

30 MR. JACQUES: We are not sure.





1 THE CHAIRMAN: Would you mind filing a  
2 copy of one page taken at random, it doesn't matter,  
3 just to show the records to us?

4 MR. JACQUES: With pleasure.

5 THE CHAIRMAN: Have a photo copy made  
6 of one page chosen at random to give us a sample of  
7 that page.

8 MR. JACQUES: The last two pages  
9 covering today and yesterday and Sunday.

10 THE WITNESS: I haven't got that here  
11 but I could get it.

12 MR. JACQUES: That will be filed as  
13 Exhibit 57, an extract from the books kept by the  
14 supervisor entitled Pilot's Register of pilotage  
15 performed and dues earned for the pilotage district of  
16 Saint John, New Brunswick.

17  
18 --- EXHIBIT NO. 57: An extract from the books kept by  
19 the supervisor entitled Pilot's  
20 Register of pilotage performed  
21 and dues earned for the pilotage  
22 district of Saint John, New  
23 Brunswick.

24 Q. The month of March, 1962; what is  
25 the name of the busiest pilot?

26 A. March, 1962, was the busiest  
27 month that year. We had 118 ins, 126 outs.

28 Q. How many ins?

29 A. 118 inward, 126 outward, 31  
30 movages and 2 cancellations.

Q. How many jobs did the pilot do?





1 A. The busiest pilot - I must  
2 qualify this - was Mr. A.C. Valis, who, as I mentioned  
3 a few minutes ago, he was doing a lot of work to gain  
4 experience at that time. He did 20 inwards, 22 outwards  
5 and 4 movages for a total of 46.

6 Q. How many inwards?

7 A. 26 inwards, 22 outwards and 4  
8 movages for a total of 46 assignments. Of the regular  
9 pilots, the next busiest was Mr. Abrams. He had 15  
10 inwards, 17 outwards, 5 movages and 1 cancellation for  
11 a total of 38 assignments.

12 Q. Now...

13 A. The least busy pilot?

14 Q. The least busy month.

15 A. Do you want the least busy pilot?

16 Q. The busiest pilot in the least  
17 busy month.

18 A. The least busy month was August,  
19 1962, when we had 33 inwards, 27 outwards...

20 Q. Not so fast.

21 A. 15 movages - 13 movages, for a  
22 total of 73. The busiest pilot at that time was Mr. R.  
23 Cobham, 3 inwards, 5 outwards and 7 movages.

24 Q. How many outwards?

25 A. 5 outwards and 7 movages for a  
26 total of 15 assignments.

27 Q. Now, sir, have you yourself kept  
28 statistics on the number of hours per day during which pilo  
29 are employed?

30 A. Statistics are kept from the







1 pilot source form, which they pass in after a job. They  
2 have that in Ottawa.

3 THE CHAIRMAN: While they are looking  
4 at that record, could you tell us what a cancellation is?

5 THE WITNESS: A pilot ordered to a job  
6 and he gets to the job and it is cancelled, a job not  
7 cancelled either by the orders of the harbourmaster or  
8 by weather. If the agent or the master orders a pilot,  
9 "I want to sail by such-and-such a time," and the pilot  
10 goes there and after he gets there they decide they are  
11 not going to go, there is a cancellation charge. It is  
12 a \$5 charge.

L/dpw 13 Q. Would you, sir, file this form  
14 for the busiest month of 1962 and the least busy month  
15 of 1962?

16 A. Yes.

17 MR. JACQUES: We will have photo copies  
18 made and return these to you.

19 MR. McKELVEY: Your Lordship, before  
20 these are entered in evidence, I would like, with the  
21 permission of the Commission, to ask some questions to  
22 establish exactly what they are.

23  
24 CROSS-EXAMINATION BY MR. McKELVEY:

25 Q. Captain MacKinnon, these time  
26 records which you have produced, being for the month of  
27 August, 1962, and the month of March, 1962, showing  
28 hours, and so forth for each pilot, what time goes on  
29 them?

30 A. The first column is the time he





1 goes on the ship and the time he left the ship.

2 Q. So they show the time that the  
3 pilot is on board the ship?

4 A. Yes, in the first column.

5 Q. Do they show the time taken to  
6 get from the pilot station to where they board the ship  
7 outside the port, if that was the case?

8 A. Not exactly, no.

9 Q. Just in a summary, what does it  
10 show?

11 A. It shows the time he spent on  
12 board the ship in the first column, the second column  
13 the time travelled, an arbitrary figure of two hours  
14 per assignment, and the third column is the time he was  
15 on the assignment list; in other words, available for  
16 duty or call, fourth, and the fifth column is the time  
17 on leave or off sick.

18 Q. You don't show the time that the  
19 pilot spent in the pilot rooms answering the telephone,  
20 and so forth?

21 A. No record whatsoever of that.

22 Q. So what we have been referring to  
23 as movement control, it is not on that?

24 A. It is not reflected on that form,  
25 no.

26 MR. JACQUES: I file as Exhibit 58  
27 record of pilots' work load for the month of March, 1962,  
28 and as Exhibit 59, record of pilots' work load for the  
29 month of August, 1962.





1 --- EXHIBIT NO. 58: Record of pilots' work load for the  
2 month of March, 1962.

3 --- EXHIBIT NO. 59: Record of pilots' work load for the  
4 month of August, 1962.

5 MR. JACQUES: Now, sir, I shall ask you  
6 a question not as a supervisor but as a man who has had  
7 experience at sea. It will not bind the Department. I  
8 am asking you for an opinion, your own personal opinion  
9 as a seaman. Do you think that pilotage in Saint John  
10 Harbour is required merely for the convenience of  
11 shipping or out of necessity due to the dangers of navi-  
12 gation?

13 THE WITNESS: Oh, I think it is required  
14 as a necessity.

15 MR. JACQUES: As a necessity?

16 THE WITNESS: Yes.

17 MR. JACQUES: Thank you, sir, that is  
18 all. Your witness.

19 COMMISSIONER SMITH: My Lord, I would  
20 like to ask the witness a question.

21 I am reading from the bylaws of this  
22 port where it says: "The supervisor shall have the  
23 direction of pilots and may make orders for the effective  
24 carrying out of this bylaw, and without limiting the  
25 generality of the foregoing, may make orders with  
26 respect to (a) the conduct of pilots and probationary  
27 pilots; (b) the use by pilots of buildings and equipment;  
28 and (c) the attendance of pilots before the supervisor."

29 Does that, in a general way, cover your  
30 duties and responsibilities?







1 THE WITNESS: To a small extent. They  
2 are much more than that.

3 COMMISSIONER SMITH: Yes, I know. But  
4 in the main, these are the basic fundamentals?

5 THE WITNESS: As far as a pilot is  
6 concerned, not as far as the district is concerned.

7 COMMISSIONER SMITH: Now, the relation-  
8 ship between yourself and the harbourmaster. I would  
9 like to have some little explanation, brief explanation,  
10 of that relationship and where your duties start and end  
11 and where his duties start and end.

12 THE WITNESS: Our relationship is very  
13 cordial.

14 COMMISSIONER SMITH: I don't mean that.

15 THE WITNESS: As far as our duties, there  
16 is really no similarity at all. I have nothing to do  
17 with saying where a ship goes or when it comes in. I  
18 allocate a pilot to it, but as far as saying where a  
19 ship berths is nothing to do with pilotage at all.

20 COMMISSIONER SMITH: But in the brief  
21 there is some reference, on page 13, to this where it  
22 says: "Thus the pilots function as a sort of 'movement  
23 control' for the harbour, a function performed in other  
24 ports by the harbourmasters or some other office."

25 THE WITNESS: I see what you are getting  
26 at, sir. Actually, I do the same thing myself, not as  
27 pilots' movement control. I myself also at times, if  
28 there is no pilot there, it is usually me who answers  
29 the 'phone or the radio telephone. I can, in a great  
30 many cases, give the agents the time a ship will dock or





1 move. I have a fairly reasonable idea just when pilots  
2 will move ships. In extreme cases I will not commit a  
3 pilot to do it; I will say: "I will have to call you  
4 back." But in 75% of the cases, anyway, I can, without  
5 much doubt, tell an agent when a ship will berth or  
6 will move. Unfortunately, there are other people also  
7 that answer the 'phone, of necessity, on weekends, with  
8 the telephone answering service, who can't give the  
9 agent that information.

10 Q. Captain MacKinnon, these 'phone  
11 calls that you answer you have just been referring to  
12 in answer to Mr. Smith's question, they would be taken  
13 on the pilots' 'phone, would they not?

14 A. Yes.

15 Q. And if there were pilots in the  
16 pilot rooms where the pilots' 'phone is, would you  
17 answer the 'phone and give advice on movages if there  
18 were pilots there?

19 A. Yes, I will answer the 'phone  
20 at times when the pilots are there. But if it is about  
21 a movage, no. But approximately 75% to 80% of the  
22 'phone calls that come in are so-called nuisance calls;  
23 some want to know when the ship is due, and so on.

24 Q. Would you, under normal circum-  
25 stances, advise on times of docking and moving, and so  
26 forth, if there was a pilot around?

27 A. If I answer the 'phone I would  
28 say: "Wait a minute," and I would ask the pilot. I  
29 wouldn't do it myself if a pilot was there, no.

30 Q. I understood you to say that





1 when you did this it was usually when the pilots were  
2 all out?

3 A. Yes, usually.

4 Q. And these calls by shipping  
5 agents and other people come to the pilot rooms' tele-  
6 phone, not yours?

7 A. That is right. The only people  
8 calling me for a pilot are the Saint John dry dock;  
9 they usually 'phone me asking for a pilot. Why, I  
10 don't know.

11 Q. So in that paragraph where it  
12 says that the master or agent requiring a pilot shall  
13 notify the supervisor, et cetera, that would indicate  
14 that you act as a sort of supervisor, but is it correct  
15 that, in practice, it is done in a different way?

16 A. Yes, that is right.

17 Q. We have already mentioned that  
18 your office and the pilotage office are quite close  
19 together, just across the hall?

20 A. Yes.

21 Q. I suppose the relationship  
22 between you and the pilots is on a pretty informal  
23 basis?

24 A. Yes, on the whole.

25 Q. And that the orders that you  
26 give pilots as supervisor frequently would be given  
27 verbally?

28 A. Yes.

29 Q. And is it correct to say that  
30 frequently things will be discussed and decided between







1 you?

2 A. Yes.

3 Q. Do you feel that this arrangement  
4 that you have been working under for these years is a  
5 satisfactory one?

6 A. I think so, for a small group  
7 like we are.

8 Q. Do you feel that that has the  
9 result of getting the pilots on their jobs efficiently?

10 A. Yes.

11 Q. And it does give good service to  
12 the community?

13 A. Yes.

14 MR. JACQUES: I don't want these  
15 opinions to go on record as being the opinions of the  
16 Department of Transport but being the personal opinions  
17 of the supervisor here.

18 MR. McKELVEY: I agree with that, sir.

19 Q. Captain MacKinnon, you gave  
20 examples of disciplinary measures. Is discipline a  
21 major problem with you?

22 A. No, it is a very, very minor  
23 problem.

24 Q. I just didn't want you to give  
25 the impression - it is very minor?

26 A. Yes. I was asked to quote what  
27 happened in the last five years - two incidents.

28 MR. JACQUES: That is all the evidence  
29 which I have to bring before the Commission, and at the  
30 request of my learned friend, Mr. Langlois, I shall have





1 all these documents certified by the proper authority.  
2 I shall file as Exhibit 60 a statement of casualties  
3 for the districts in New Brunswick, both when a pilot  
4 is on board and when he is not on board. In other  
5 words, it will show whether there was a pilot on board  
6 or not, in the pilotage district.

7  
8 (--- EXHIBIT NO. 60: Statement of casualties for the)  
9 ( pilotage districts in New )  
10 ( Brunswick. - to be filed. )

11 THE CHAIRMAN: I understand Mr. Gilbert  
12 has requested permission to file a submission before  
13 the Commission, a brief. Do you know anything about  
14 that?

15 MR. JACQUES: My Lord, I saw Mr. Gilbert,  
16 and, as you mentioned, he will file a brief and has  
17 agreed, if we require any evidence, that he will come  
18 where we want him and when we want him, Halifax - any-  
19 where. I have discussed the matter, and I have assured  
20 him that if he thought that he suffered prejudice in  
21 the fact that we were hearing the Saint John case else-  
22 where, we shall come to Saint John.

23 MR. McKELVEY: My friend said he is  
24 going to file a list of the shipping casualties. I  
25 would request that there also be filed with that a  
26 statement of the number of times that disciplinary  
27 action has been taken against the pilot who was aboard  
28 the vessel at the time of the casualty, because my  
29 information is that the list of casualties which my  
30 learned friend has in mind includes several very minor





1 occurrences, and I would not like any implication to  
2 arise from a statement of this kind which shows in any  
3 way negligence on the part of the Saint John pilots.

4 THE CHAIRMAN: I think that is fair  
5 enough. Is it available?

6 MR. JACQUES: My Lord, I could not say.  
7 But I will say this: that we will file a statement of  
8 all reported casualties in the districts, whether there  
9 was a pilot on board or not, for the last five years.

10 Now, the problem of disciplinary action;  
11 we will have to work out other statistics on that. We  
12 will get that information elsewhere. So that will be  
13 two separate documents. I have no objection to filing  
14 the statement, and if we can connect both of them, we  
15 will do so, of course.

16 MR. McKELVEY: That is my point, My  
17 Lord.

18 MR. JACQUES: Because I cannot ask the  
19 Department to take upon itself to choose which is  
20 going to be filed and which is not going to be filed.

21 MR. McKELVEY: What I am getting at is  
22 that you can have a two-page list of minor occurrences  
23 which could indicate that pilots are sloppy. We know  
24 that is not the case, and if that is done, I would ask  
25 it be coupled with that if it is possible to do it.

26 The second point my learned friend made  
27 was with regard to representations Mr. Gilbert, Q.C.,  
28 will be making. My information is that the subject  
29 matter of Mr. Gilbert's representations will be very  
30 important from the standpoint of the Saint John pilots,







1 and I have been assured that I will receive a copy of  
2 what he has and that we will deal with it later if the  
3 situation should arise.

4 Your Lordship, in view of the fact that  
5 my two learned friends here are travelling with the  
6 Commission and will have opportunities to make their  
7 summaries later, would it be in order for me, on behalf  
8 of the Saint John pilots, to briefly summarize for the  
9 record some of the main points?

10 THE CHAIRMAN: You may go ahead.

11 MR. McKELVEY: I have presented all the  
12 evidence that I have to present, with the reservation,  
13 of course, that if anything comes up in the future I  
14 will appreciate being given the opportunity to discuss  
15 it, whether it arises out of Mr. Gilbert's presentation  
16 or something else which might arise which we cannot  
17 foresee at the time.

18 My first point I would like to stress  
19 is that the Saint John pilots are not complaining. I  
20 don't know what the situation is in other districts;  
21 there may or may not be major complaints. The state  
22 of the Saint John pilotage district is good; we are not  
23 here to complain.

24 The second point I would like to make  
25 is in regard to the evidence of the dangers of naviga-  
26 ting the vessel in this port. It has been suggested  
T/dpw 27 that we may have overdone that evidence and that an  
28 implication may arise that the port of Saint John is  
29 not a safe port for shipping. That is not true. It  
30 is a safe port as the pilots have said and as Captain





1 Conley, who probably knows the port certainly better  
2 than anybody else other than the pilots, has said.

3 Our point is that there are difficult  
4 problems in this port. There are current problems  
5 caused by the factors mentioned, and others, and you  
6 simply cannot just walk into the port of Saint John  
7 because you have been on a ship and overnight become a  
8 pilot, as I suspect could be done in some other district.  
9 You must have people in this port who are qualified and  
10 know the local conditions. We have them here, and  
11 because we have them here Saint John is as safe a port  
12 as any in the world.

13 The whole purpose of this was to try to  
14 convey to the Commission the nature of the physical  
15 problems that we have here, and we have reason to believe  
16 that that factor has not always been appreciated by  
17 everybody involved in the Canadian pilotage system. I  
18 am not referring to any particular government department  
19 or anything. That is my second point, that it is a  
20 safe port. The evidence is there, and I would like to  
21 stress it.

22 In our brief we have made only two  
23 definite submissions. If you will see the summary at  
24 the first page of the brief, No. 4 and No. 6 are the  
25 submissions. The first one is the surcharge on tankers,  
26 and the second one is the addition of a tenth pilot.

27 I would like to comment here that in  
28 regard to the tankers, the case here is that a pilot,  
29 like any other professional man, should be entitled to  
30 be reimbursed or to have reimbursement commensurate with





1 the difficulty of the work he is doing. I think that is  
2 a fairly general way to determine remuneration of  
3 the profession, and because of this circumstance relating  
4 to tankers, the difficulties which have been explained,  
5 the pilots are not receiving adequate remuneration for  
6 the nature of the risks - "responsibility" is the word -  
7 undertaken.

8 We have suggested in our brief that there  
9 be a surcharge based on net tonnage. It has been  
10 suggested to me that net tonnage may not be the best way  
11 to do it and it should be related to length. I have no  
12 submission to make in that regard excepting that any  
13 formula that compensates the pilots for these larger and  
14 more difficult vessels which have very little more draught,  
15 any method which will compensate them for this extra work  
16 will, of course, solve the problem. We have suggested  
17 net tonnage. There is no particular reason for that.  
18 It could be length.

19 If the Commission requires, in future,  
20 any further submissions on that, we shall be pleased to  
21 make them.

22 The submission regarding the tenth  
23 pilot, I would remind you that the major argument in  
24 favour of it is that it will not harm anybody. It is the  
25 pilots themselves. They are the only people affected by  
26 this appointment of a tenth pilot. You recall the ridi-  
27 culous solution that I suggested of ten pilots more, and  
28 Mr. Quinn almost fell off his chair. However, the point  
29 is the pilots are the only people concerned. It costs  
30 nobody any more money, and it is out of their pockets.









1 As Your Lordship put it, if they are foolish enough to  
2 want another pilot, why shouldn't they have it; although  
3 in this case one is not foolish. Ten would be.

4 This business of movement control and the  
5 time spent in the office is a secondary reason that the  
6 pilots obviously have to spend hours on duty and they  
7 have to be readily available all the time. This was  
8 supported by Mr. Kane speaking for the Shipping Federation,  
9 whose big complaint was that sometimes he calls and the  
10 proper pilot is not there.

11 Mr. Kane's evidence would indicate that  
12 the pilots are not around there enough. The Department,  
13 on the other hand, does not credit them in the statistics  
14 for the time that they are there.

15 Your Lordship, my fourth point is simply  
16 to refer to Schedule "D" of additional suggestions, of  
17 which there are ten. Most of them deal with aids to  
18 navigation and dredging.

19 The one I would like to mention briefly  
20 is the matter of extending the piloting district. The  
21 purpose there is to simply bring the limits of the  
22 district in line with reality. They are too close. If  
23 weather conditions become severe, then ships won't come  
24 in that close. They have to go outside. Obviously,  
25 therefore, the purpose of the pilotage district is to  
26 conform with reality, and it should be where people  
27 want it to be, not because the line between Split Rock  
28 and Cape Spencer is a nice, neat line on the map.

29 Lastly, I would like to say something  
30 about the other problem that Mr. Kane mentioned. You





1 will recall he said that he suggested there should be  
2 some kind of a central office where they can call up and  
3 find out what ships are going to move, when, and who will  
4 do what, and when he will do it. That is a problem that  
5 Mr. Kane or someone might call up to find out about a  
6 ship on Monday, and the pilot who is on duty Monday may  
7 not be around and somebody else may not be able to tell  
8 him whether the ship can be moved off the tidal period.

9 I submit it is a problem and that there  
10 is no ready solution to it. The pilots are doing their  
11 best by providing this standby service to give shipping  
12 agents this information when they want it. The crucial  
13 thing is information must be given by a pilot. Even  
14 Captain MacKinnon, who has been superintendent for  
15 several years, said except for obvious cases he would  
16 not say what pilot would do something at a time off  
17 the tide.

18 Unfortunately, Mr. Kane's problem seems  
19 to be one that just cannot be solved. Even if you took  
20 one pilot and set him up as the central man and all  
21 telephone calls came to him, that would not solve it  
22 either because if it happened to be Pilot Cobham, and he  
23 did nothing else except answer the telephone, he does  
24 not know what Pilot Quinn might do, and he does not know  
25 whether Pilot Quinn will take a certain ship of a certain  
26 size in a certain place off the tidal time or not.  
27 Unfortunately, therefore, it is a problem that I submit  
28 there is no ready solution to other than the pilots to  
29 continue what they are doing now, which has worked satis-  
30 factorily.





1                   Lastly, I would just state according to  
2 my notes of Mr. Kane's evidence, this difficulty only  
3 arises two or three times a month.

4                   MR. LANGLOIS: Once a month.

5                   MR. McKELVEY: So it certainly is not a  
6 major thing, and the efforts of the pilots to provide  
7 service to the shipping community are obviously being  
8 very successful.

9                   Thank you very much. If there is anything  
10 further the Commission wishes, we shall be very pleased  
11 to oblige.

12                   THE CHAIRMAN: Thank you very much,  
13 gentlemen, it was very interesting. Now, we shall  
14 adjourn until Monday in Ottawa, and also Vancouver.

15  
16 --- Whereupon the hearing adjourned at 6.15 p.m. until  
17 Monday, 18th February, 1963, in Ottawa, Ontario.  
18  
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# ROYAL COMMISSION

ON

## PILOTAGE

HEARINGS

HELD AT

VANCOUVER

B. C.

VOLUME No.:

**4**

DATE:

MARCH **11** 1963

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ROYAL COMMISSION ON MARINE PILOTAGE

Proceedings of the hearing held  
in the Federal Building,  
Vancouver, British Columbia, on  
Monday, the 11th day of March,  
1963

COMMISSION:

The Honourable Mr. Justice Bernier	Chairman
Robert K. Smith, Esq.	Member
Harold A. Renwick, Esq.	Member

Mr. Gilbert W. Nadeau Secretary

COMMISSION COUNSEL:

Mr. Maurice Jacques, Q.C.

Mr. Leopold Langlois, Q.C., for the Canadian  
Merchant Service Guild, Inc.

Mr. J. I. Bird, Q.C., for Vancouver Chamber  
of Shipping, and Aluminum Company of  
Canada.

Also Present:

Capt. F. S. Slocombe, Department of Transport  
and liaison Officer.

Capt. J. S. Scott, Technical Advisor to  
Commission.





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1 ---On commencing at 10 a.m.

2 THE CHAIRMAN: Gentlemen, I may tell you  
3 that it is very rewarding for us to be sitting in  
4 Vancouver during the month of March after the hard battles  
5 we Easterns had in Central Canada, especially in Quebec.  
6 Only a few days ago I was sitting near Quebec and we had  
7 the worst storm, snow storm, and wind storm during the  
8 whole winter; all road and air communications were closed.  
9 That was only five days ago. So it is almost unbelievable  
10 to be here and find spring flowers, good climate.

11 As you know, this is our second session  
12 of public hearings on the Commission. In February we  
13 started at the other end of Canada, in Charlottetown,  
14 Prince Edward Island, and also we moved to Saint John,  
15 New Brunswick. Now we are doing the west coast, and we  
16 will be here with you for three weeks to a month. There-  
17 after we will finish up the east coast by going to  
18 Newfoundland in April, and in May we will be in Halifax  
19 and Sidney. Then by the end of June we will start  
20 on the St. Lawrence River, Montreal, Quebec, Chicoutimi;  
21 and then we hope, if everything goes well, by September  
22 we will be able to start the Upper St. Lawrence and the  
23 Great Lakes.

24 So as you may see, we have quite a huge  
25 task. You know what we are doing. We are on a fact-  
26 finding mission. That is what we are, a fact-finding body.  
27 We are not a court, and there are no litigants, no suits  
28 being filed before us. Everybody is here to help us,  
29 and the task is upon our shoulders to find out, and when  
30 you come before us you are just helping us in doing it.







1 As you may have seen from the terms of  
2 reference, our task is huge. We have to define what is  
3 pilotage across Canada, what it is, in order that the  
4 problems may be appraised with certainty, knowing all the  
5 factors, what they are in the east coast, in central  
6 Canada and what they are here. That is why we were sent.  
7 It is our duty to find out those facts, and although we  
8 have to have some order, we are following to a certain  
9 extent a court procedure, but once again we are not a  
10 court, and we have delegated to a certain extent our  
11 duties to our counsel, Mr. Maurice Jacques, who is doing  
12 most of the examination for us. Of course you know we  
13 may put a few questions here and there, but he is the  
14 one delegated by us to make investigation.

15 Besides the facts we have also to make  
16 recommendations, so any help, any suggestions you may have  
17 will be much appreciated, because you are the people on  
18 the spot, you know what is your situation. Therefore any  
19 help you may give us will be much appreciated, and we  
20 thank you very, very much in advance.

21 MR. JACQUES: My lord, as usual I shall  
22 start my filing charts and publications applicable to  
23 British Columbia. This is rather tedious, but I think  
24 everybody should know what documents we are using.

25 Exhibit 61, chart of Juan de Fuca Strait  
26 to Queen Charlotte Sound, number 3001.

27 Exhibit 62, chart 3449, Race Rocks to Turn  
28 Point.

29 Exhibit 63, chart 3448, Race Rocks to  
30 Rosario Strait.





- 1 Exhibit 64, chart 3577, Sand Heads  
2 to Ballenas.
- 3 Exhibit 65, chart 3433, Vancouver Harbour.  
4 Exhibit 66, chart 3418, Vancouver Harbour,  
5 First Narrows to Second Narrows.  
6 Exhibit 67, chart 3434, Vancouver Harbour,  
7 Second Narrows to Port Moody.  
8 Exhibit 68, chart 3413, Esquimalt and  
9 Victoria Harbours and Approaches.  
10 Exhibit 69, chart 3416, Esquimalt Harbour.  
11 Exhibit 70, chart 3415, Victoria Harbour.  
12 Exhibit 71, chart 3609, Alberni Inlet.  
13 Exhibit 72, chart 3637, Barkley Sound.  
14 Exhibit 73, chart 3581, Nanaimo Harbour.
- 15 ---EXHIBIT NO. 61: Chart of Juan de Fuca Strait to  
16 Queen Charlotte Sound, number 3001.  
17 ---EXHIBIT NO. 62: Chart 3449, Race Rocks to Turn  
18 Point.  
19 ---EXHIBIT NO. 63: Chart 3448, Race Rocks to Rosario  
20 Strait.  
21 ---EXHIBIT NO. 64: Chart 3577, Sand Heads to Ballenas.  
22 ---EXHIBIT NO. 65: Chart 3433, Vancouver Harbour.  
23 ---EXHIBIT NO. 66: Chart 3418, Vancouver Harbour, First  
24 Narrows to Second Narrows.  
25 ---EXHIBIT NO. 67: Chart 3434, Vancouver Harbour,  
26 Second Narrows to Port Moody.  
27 ---EXHIBIT NO. 68: Chart 3413, Esquimalt and Victoria  
28 Harbours and Approaches.  
29 ---EXHIBIT NO. 69: Chart 3416, Esquimalt Harbour.  
30 ---EXHIBIT NO. 70: Chart 3415, Victoria Harbour.  
---EXHIBIT NO. 71: Chart 3609, Alberni Inlet.  
---EXHIBIT NO. 72: Chart 3637, Barkley Sound.





1 ---EXHIBIT NO. 73: Chart 3581, Nanaimo Harbour.

2 Now, I have also the publications app-  
3 licable to British Columbia as Exhibit 74, The British  
4 Columbia Pilots, 1959 Edition, amended to date, volumes  
5 1 and 2.

6 As Exhibit 75, Pacific Coast Tide and  
7 Current Tables for 1963.

8 As Exhibit 76, list of lights and fog  
9 signals, Pacific Coast.

10 As Exhibit 77, radio aids and marine  
11 navigation, Pacific.

12 As Exhibit 78, British Columbia tidal  
13 current charts, Vancouver Harbour.

14 Lastly, as Exhibit 79, the British  
15 Columbia Pilotage Authority, charts showing distances  
16 between Ports within boundaries of the British Columbia  
17 Pilotage District.

18 ---EXHIBIT NO. 74: The British Columbia Pilots, 1959  
19 Edition, amended to date, volumes  
20 1 and 2.

21 ---EXHIBIT NO. 75: Pacific Coast Tide and Current  
22 Tables for 1963.

23 ---EXHIBIT NO. 76: List of lights and fog signals,  
24 Pacific Coast.

25 ---EXHIBIT NO. 77: Radio aids and marine navigation,  
26 Pacific.

27 ---EXHIBIT NO. 78: British Columbia tidal current charts,  
28 Vancouver Harbour.

29 ---EXHIBIT NO. 79: The British Columbia Pilotage  
30 Authority, charts showing distances  
between ports within boundaries  
of the British Columbia Pilotage  
District.

Those are all the exhibits I have to







1 file at the moment, my lord.

2 THE CHAIRMAN: Is that all, Mr. Jacques?

3 MR. JACQUES: That is all, my lord.

4 THE CHAIRMAN: Mr. Langlois, I think you  
5 are the first one.

6 SUBMISSION OF COAST PILOTS OF  
7 BRITISH COLUMBIA

8 MR. LANGLOIS: My lord, my first witness  
9 will be Captain Gosse.

10 CAPTAIN, WALTER ALLAN GOSSE, sworn

11 DIRECT EXAMINATION BY MR. LANGLOIS:

12 Q. Captain Gosse, please state  
13 your name, address and your age?

14 A. 2225 West 39th Avenue, Vancouver,  
15 B.C. My age is 63.

16 Q. And your profession?

17 A. British Columbia Coast Pilot.

18 Q. How long have you been a pilot,  
19 Mr. Gosse?

20 A. Twenty-six years. I finish 26  
21 years on the first of May.

22 Q. Do you hold a Certificate of  
23 Competency?

24 A. Yes, I hold a Master, Coastwise  
25 Master's Certificate.

26 Q. Since when, sir?

27 A. Since 1929.

28 Q. Would you state briefly your  
29 sea experience before you obtained your home trade,  
30 coasting ticket?





1 A. Yes. From the time I started at  
2 sea or --

3 Q. Yes, briefly?

4 A. Well, I started at sea with coast  
5 boats as a seaman and quarter master, and then in 1921  
6 I got a mate's certificate, and the first job after  
7 securing that was on the Dollar boats. I also had a year  
8 on the Empress Boats, Empress of Russia, and then I came  
9 back to the coast again; and as an officer from 1923  
10 until 1932 I was with the Canadian Pacific passenger  
11 boats on the coast. Then after that I was on the Border-  
12 Line for three years, as a Master, and from there I  
13 joined the British Columbia Pilot Service.

14 Q. Now, what is your function with  
15 the British Columbia Pilotage Organization?

16 A. Well, this year I am chairman  
17 of the Pilots' Committee, British Columbia Pilots'  
18 Committee, which is composed of five pilots. But I am  
19 the chairman of the committee.

20 Q. You are the chairman?

21 A. This year, yes.

22 Q. What is the membership of your  
23 organization? How many pilots are there?

24 A. Sixty-six pilots.

25 Q. Where are they stationed, sir?

26 A. Well, we have pilots stationed  
27 in Victoria, Nanaimo and Vancouver. We have 37 stationed  
28 in Vancouver, 23 stationed in Victoria and 6 stationed  
29 at Nanaimo.

30 Q. Would you briefly describe, very





1 briefly, sir, the pilotage district of British Columbia?

2 A. Well, all the coast waters of  
3 British Columbia, especially the inside passage, from  
4 the boundary line of the United States in the south to  
5 the boundary line of Alaska in the north, All the coastal  
6 waters between those two border lines belong to the  
7 British Columbia Pilotage District.

8 Q. Can you give an idea of the  
9 distance covered by that district?

10 A. Yes. We have a distance between  
11 ports, say, from Victoria in the south to Prince Rupert  
12 of about 550 miles.

13 Q. How many pilotage stations are  
14 there in the district?

15 A. Boarding stations?

16 Q. Yes?

17 A. We have a boarding station at  
18 Brotche Ledge, 2 miles south of Victoria, another boarding  
19 station at Triple Islands outside of Prince Rupert, and  
20 a boarding station, by arrangement, at Cape Beale,  
21 by Barkley Sound.

22 COMMISSIONER SMITH: Where is the  
23 dividing line between the Puget Sound Area and the  
24 Vancouver Area? Where do you strike that dividing line?  
25 The boundary?

26 THE WITNESS: When we go to Puget Sound,  
27 where we change that pilotage?

28 COMMISSIONER SMITH: Yes.

29 THE WITNESS: Well, we have been changin'  
30 over at a position off Discovery Island or off Lime

Kiln. It is really where the American inland boats







1 go into effect, and if the ship is going down the other  
2 way to Bellingham, we change over off East Point.

3 MR. SMITH: It is sort of a flexible  
4 thing?

5 THE WITNESS: We have an international  
6 waterway between the two countries.

7 COMMISSIONER SMITH: Boundary?

8 THE WITNESS: Boundary line. It runs  
9 through at the end of the waterway.

10 COMMISSIONER SMITH: Thank you.

11 MR. JACQUES: Would you care to indicate  
12 the various places on the chart?

13 THE WITNESS: We change over just in  
14 the position off here (indicating).

15 MR. JACQUES: Would you indicate the  
16 position by a letter A written in red on Exhibit 62?

17 THE WITNESS: This is the Lime Kiln  
18 here. This is the international waterway I referred to  
19 and the changeover point would be approximately here.

20 MR. JACQUES: Will you make a large A  
21 in red, please, on Exhibit 62? You also mentioned  
22 another point a moment ago. Now, on Exhibit 61 would  
23 you indicate the second place, the alternative place of  
24 the change with a red A?

25 THE WITNESS: This is East Point, and  
26 the other one was down here.

27 MR. JACQUES: So the two places are  
28 indicated on Exhibit 61 by a letter A written in red.  
29 Thank you.

30 MR. LANGLOIS: Now, my lord, before we





1 proceed any further with the examination of Captain  
2 Gosse, I would like to file as Exhibit 80 the brief  
3 submitted by The British Columbia Coast Pilots.

4 ---EXHIBIT NO. 80: Brief submitted by British Columbia  
5 Coast Pilots.

6 BY MR. LANGLOIS:

7 Q. Now, Captain Gosse, making use  
8 of the brief submitted by your group, and referring to  
9 Page 7 of the brief, paragraphs 1, 2, 3 and 4, what you  
10 say in the four paragraphs I have just mentioned  
11 represent I understand the status of your pilots; is  
12 that correct?

13 A. Yes, that is correct.

14 Q. I note there that you take the  
15 position that the pilots are self-employed; is that  
16 correct?

17 A. Yes, sir.

18 Q. Now, referring to paragraphs  
19 5, 6 and 7 on Page 7 and 8 of your brief, would you  
20 briefly describe the function of the B.C. pilots as  
21 you understand it? What is your function as a pilot,  
22 briefly?

23 A. Our function is -- when we are  
24 despatched to a ship, we go down and pilot the ship to  
25 the best of our ability and in the fastest way we can  
26 get her to her destination. I would say we are still  
27 under the Captain's -- what will I say? -- we are not  
28 in command of the ship but we are in charge of the  
29 navigation of the ship from the point where we join her  
30 until the time we get her to a safe anchorage or get





1 her to the next port.

2 COMMISSIONER SMITH: I think the  
3 Shipping Act defines it as the pilot is in conduct of  
4 the ship through dangerous and restricted waters. The  
5 word "conduct" is what is used. It is somewhat con-  
6 troversial.

7 THE WITNESS: Well, I think it is a  
8 good word.

9 COMMISSIONER SMITH: Some lawyers think  
10 so and others do not.

11 BY MR. LANGLOIS:

12 Q. In this respect, Captain Gosse,  
13 would you explain what takes place when you board a  
14 ship in fact?

15 A. Well, it varies considerably,  
16 but I would say most jobs, when we board a ship we meet  
17 the Master and then eventually when the time comes for  
18 sailing and we go up on the bridge and some Masters  
19 probably will not say anything. They might say put her  
20 on standby pilot, but from there on they more or less  
21 leave it to the pilot to pilot the ship.

22 On the big passenger liners, the P. and  
23 O. boats, it is not unlikely that the Captain will  
24 say after he gets her singled up, "all right, pilot,  
25 the ship is yours", and hand over the navigation of  
26 the ship to us.

27 Do you mean by that once the Master  
28 tells you that the ship is yours you can give direct  
29 orders to the helmsman, for example?

30 A. Yes, maybe through one of the







1 officers on the bridge, but on the larger boats, of  
2 course, the helmsman is quite a ways from you, especially  
3 backing out of berths, you pass the word along to one  
4 of the officers, but we give direct helm orders to the  
5 officers and he waylays it to the man at the wheel.

6 Q. What about handling of the tel-  
7 egraph, the engine room?

8 A. That is done by the officers at  
9 our request. We can tell them what we want and he puts  
10 it through.

11 Q. Now, coming back to your brief  
12 on Pages 8 and 9 you quote from the Marine Publication  
13 under the heading of data related to pilots and pilotage.  
14 Can you further identify this Marine Publication to  
15 which you are referring?

16 A. My thought in putting this in  
17 here -- it was an old Marine Publication. As a matter  
18 of fact I inherited it from my father and this article  
19 was in there, and I thought it would be of interest.  
20 That is the only reason I put it in. It is history  
21 more than anything.

22 Q. You quote this as a matter of  
23 interest?

24 A. History.

25 Q. I assume you agree with the  
26 contents of this quotation from this Marine Publication?

27 A. Well, I think it shows there that  
28 this compulsory pilotage and compulsory payment of  
29 pilotage is not any new thing. It has gone back to the  
30 ages. As a matter of fact, I think it relates in here





1 back to 1500, so compulsory pilotage or compulsory pay-  
2 ment of pilotage is nothing new. It is tradition through-  
3 out pilotage service of the world since the first pilotage  
4 district was ever established.

5 Q. With your long experience as  
6 a pilot on the West Coast, would you agree with the  
7 description of the duties of pilots as contained in this  
8 quotation which is on Page 9 of your brief?

9 A. Yes, I agree with it. Probably  
10 there are some parts of it where it does not happen so  
11 much to-day as it did in the old days, but it still  
12 happens.

13 Q. There is mention made in this  
14 quotation that sometimes the pilots are facing death.  
15 From your memory can you tell the Commission if there have  
16 been many casualties involving pilots on duty on this  
17 coast in the past?

18 A. Not many. We have had several  
19 occasions. We have had pilots falling off ladders into  
20 the water and sometimes quite a lot of difficulty getting  
21 them out of the water. We have also had pilots who have  
22 contracted disease on boarding ships.

23 In my own experience, I had to board  
24 a ship where there were two very bad cases of Smallpox.  
25 They had two men die before she got in and two men with  
26 Smallpox when I boarded the ship and took her into  
27 quarantine, and I had to go through the quarantine myself  
28 for doing it, for bringing the ship in. We couldn't  
29 refuse to go aboard. We had to go aboard. A few days  
30 after that or a week after that I had to take the same





1 ship back up to Port Alberni and they sent her back with  
2 another case aboard, so these things can happen.

3 Also one time I climbed a ladder on  
4 a Russian ship and a bear stuck his nose over the ladder,  
5 and he tried to kiss me as I climbed over the ladder, so  
6 through the years I have had a few little experiences  
7 that way.

8 Q. A while ago you referred to your  
9 boarding stations. Would you tell the Commission if  
10 there is any risk involved in boarding a ship in these  
11 boarding stations?

12 A. Yes, very often. As a matter of  
13 fact, the last time the P. and O. boat came in here, the  
14 pilot and the quarantine officer had to jump on the ladder  
15 and nobody else could get on her. They had to bring her  
16 up to Vancouver quarantine and the Customs couldn't get  
17 aboard.

18 Off Cape Beale and Triple Islands it  
19 is pretty risky when the ship is rolling and the pilot boat  
20 bobbing up and down and you have to be pretty quick  
21 jumping on the ladder. As a fellow gets a little older  
22 and if you haven't been doing it for a while, it is quite  
23 a chore.

24 Q. In the discharge of your duties  
25 do you have to board ships in open waters, unsheltered  
26 waters?

27 A. Oh, yes, off Cape Beale and off  
28 Triple Islands, and sometimes off Race Rocks or Victoria.

29 Q. Paragraph 14 on Page 9 of your  
30 brief, the paragraph at the bottom of page 9, you state









1 that pilots do a public service. Would you further  
2 elaborate on what you have in mind when you say that the  
3 pilots do a public service?

4 A. Well, I think that anybody that  
5 helps to bring trade and commerce to the country, that  
6 we by piloting ships into the harbours, and into the  
7 many harbours up north, where we take these ships up  
8 into these bays and harbours, I think that by doing that  
9 we are aids to navigation, and we are an aid to the  
10 trade and commerce of the country.

11 Q. Would you consider it fair to  
12 the pilots if the masters of the ships were free to  
13 require your services only in rough or bad weather?

14 A. Would it be fair do you say?

15 Q. To your service if the masters  
16 could require your services as pilots only in bad  
17 weather?

18 A. Well, we haven't had much  
19 trouble with masters of ships not wanting pilots. It  
20 don't seem to matter whether it is bad weather or good  
21 weather, but I don't think it would be fair if we were  
22 supposed to supply pilots to a ship only in bad weather, and  
23 you pilot yourself in good weather. I think if we should  
24 have one, we should have both.

25 Q. Now, on Page 10, sir, of your  
26 brief, Paragraphs 15, 16 and 17, you state that you  
27 consider your services as part of aids to navigation,  
28 and I take it that you mean by that that you are not  
29 to be called upon to subsidize directly the services that  
30 you are providing? Is that correct?





1 A. Yes, I think that we should not  
2 be called upon to subsidize any service relating to  
3 piloting. As long as we do our piloting work, I think  
4 that is -- are you referring to the boats?

5 Q. I am referring to your own ser-  
6 vices as pilots, and the cost of the pilotage adminis-  
7 trative system as a whole?

8 A. No, I don't think we should be.

9 Q. On Page 10 again, Paragraph 17  
10 of your brief, you mention a charge of \$10.00 for  
11 embarking a pilot. Who pays this charge sir?

12 A. The charge is paid by the ship  
13 to the government for use of the pilot boat at Victoria.  
14 It has nothing to do with us. It is a government charge,  
15 and the pilots don't have anything to do with this.  
16 It is not put in our earnings or anything. It goes to  
17 the government.

18 Q. The pilot boat then is owned  
19 by the Department of Transport?

20 A. Yes.

21 Q. And it is a charge made by  
22 D.O.T. to the ships using the pilot boats?

23 A. That is right.

24 Q. Now, later on in the same para-  
25 graph you talk of a charge at the Port of Alberni, Cape  
26 Beale, Prince Rupert and Triple Islands, a charge of  
27 \$120.00 a trip per pilot. To whom is that charge paid,  
28 and by whom is it paid?

29 A. That charge now is split, and  
30 \$60.00 is paid by the ship that is using the pilot, and







1 the other \$60.00 if paid by the government. These are  
2 private boats that are being used there, so the govern-  
3 ment pays half of the charge for the pilot boats at  
4 these two stations.

5 COMMISSIONER SMITH: How long has that  
6 been the policy?

7 THE WITNESS: It has been the policy --  
8 just about 1960 I think it started.

9 Q. Are there any boarding stations  
10 where the shipping industry supply the pilot boats, as  
11 they do elsewhere in Canada?

12 A. Well, they supply these boats  
13 by paying half of the charge. On the boats in Victoria  
14 they pay \$10.00, which does not pay for the boat I  
15 don't think.

16 Q. What I have in mind sir is that  
17 in other pilotage districts of Canada -- the Shipping  
18 Federation of Canada for example would hire a privately-  
19 owned boat, and put it at the disposal of the pilots  
20 to take them on and off ships.

21 Do you have something similar on this  
22 coast?

23 A. No, we have nothing along that --  
24 if we are getting off a boat in Vancouver Harbour we  
25 get off on a tug, and the ship pays for the tug, but  
26 it is a privately-owned tug.

27 Q. I understand you have pilot boats  
28 owned by the Department of Transport, and you have on  
29 the other hand privately-owned boats?

30 A. That is correct.







1 Q. How many of each category do you  
2 have?

3 A. We have three boats in Victoria  
4 that are owned by the Department of Transport. There is  
5 another boat in the Fraser River, but that is mainly  
6 for the Fraser River pilots. Those four boats are owned  
7 by the Department of Transport. At Cape Beale the  
8 pilot boat that we use up there is owned by Mrs. Riley  
9 in Port Albany. In Quatsino Sound, where we disembark  
10 sometimes, Mr. Hole owns the boat. In Prince Rupert  
11 we use salvage tugs up there. They are old tugs, and  
12 quite unseaworthy, and as far as we are concerned they  
13 are not very satisfactory. At the north end of  
14 Vancouver Island we have another privately-owned boat  
15 that we disembark on sometimes. Those privately-owned  
16 boats the Department of Transport pays half of the boat  
17 charge for those boats.

18 Q. Do you as pilots have anything  
19 to do with the arrangements between the owners of  
20 these privately-owned pilot boats, the Department of  
21 Transport, and the shipping industry? Do you enter into  
22 these negotiations?

23 A. Yes, the boarding stations at  
24 Prince Rupert, or anywhere where we have not got a  
25 D.O.T. boat, if the pilot does not think the boat is  
26 fit, I don't think they would be forced to go out in it,  
27 but most of the time you have not got any choice, because  
28 there is no other boat there anyhow. So you are more  
29 or less obliged to go out in it. We do have a little  
30 say as to whether we will keep going out and proceed,





1 or turn back, you know. But we have no choice of a boat,  
2 because there is not many boats available in these out-  
3 ports. There are very few boats available that are  
4 proper boats to take the pilots off and put them on.

5 Q. But is there not a contract between  
6 the firm owning the pilot boat, the Department, and the  
7 shipping industry, in order to ensure that a boat will  
8 be available to take the pilots on and off the ships?

9 A. Yes. I don't think there is any  
10 contract with either of these boats. Mrs. Riley makes  
11 a contract with the shipping people as to the amount  
12 she can charge, and as that is the only boat available  
13 we use it.

14 Q. But you as pilots have nothing to  
15 do with the hiring of this boat?

16 A. No, we don't pay for it, and we  
17 don't hire it.

18 Q. Now, on Page 11, Paragraph 18 of  
19 your brief, you speak of the qualifications for the  
20 issue of pilot licenses. Will you briefly, sir, give  
21 the Commission the main requirements in regards to  
22 qualifications?

23 A. Well, the main requirement for  
24 becoming a pilot on the B.C. coast is that you have at  
25 least three years as master of a boat trading on the  
26 British Columbia Coast. To accumulate these three years  
27 as master there is also an allowance that if a mate  
28 on a boat requiring a first officer, he can qualify by  
29 having twice the time. Instead of three years master's  
30 time, he can have one years master's time and four years







1 as chief officer on a boat requiring a chief officer.

2 But this does not include any of the four boats. This  
3 includes the ones that require a chief officer, which  
4 are the larger boats on the coast, the larger freighters,  
5 and the larger passenger boats.

6 We do that in order to sometimes  
7 get a man in who, under ordinary circumstances, wouldn't  
8 qualify until he is probably in the neighbourhood of  
9 45 or 50 years old, and to get him in maybe a couple of  
10 years earlier we let him use his double mate's time as  
11 his master's time for two years of it, but for one year  
12 he must be master.

13 Q. Do you have to serve an  
14 apprenticeship before you become a pilot?

15 A. We don't have any apprenticeship  
16 system on the coast here. The first month that a pilot  
17 is taken into the service he does not handle any ships  
18 himself. He goes around with the other pilots. It is  
19 more to get him used to docking ships. He knows the  
20 coast when he comes in, but to get used to handling the  
21 bigger ships in dock for the first month he goes around  
22 with another pilot, and every day he is on a different  
23 job with a different pilot.

24 Q. You just said, referring to a new  
25 pilot, that he knows the coast before he comes in?

26 A. That is right.

27 Q. How does he get this local  
28 knowledge?

29 A. Because he has to have his three  
30 years master on the coast, and in order to get your three







1 years master on the coast, you have to be mate, second  
2 mate, and third mate before you can have a master's  
3 certificate. To come on the B. C. Coast in charge of a  
4 freight boat or oil tanker, or anything, you must know  
5 the coast. So you have to be first mate, second mate,  
6 or third mate, or chief officer, before you get a master's  
7 certificate. In this time he knows the coast. If he  
8 gets on some ferry run, where he does not get to know the  
9 coast, he does not pass his pilot's exam because he has  
10 to have a good knowledge of the coast before he is taken  
11 in.

12 Q. And this exam that you are re-  
13 ferring to, who are the examiners?

14 A. The Examining Board is set up in  
15 our by-laws, but it is, I would say, a very fair examina-  
16 tion. I have sat on several of the exams myself as  
17 Examiner, and there are two pilots there, and also a  
18 master representing the Chamber of Shipping. Then there  
19 is the Superintendent and the Assistant Superintendent.  
20 The pilot is brought in. First he does a written examina-  
21 tion, and then he is brought in and does an oral  
22 examination. We take him all over the coast, and ask him  
23 to tell us how he would proceed with a ship around the  
24 coast. Through this examination we can pretty well find  
25 out where he has been on the coast, and if he is qualified.

26 Q. You mention in the same Paragraph  
27 18, age limits. What do you mean by age limits?

28 A. Well, in our district he must not  
29 be under 30 or over 50 to come into the pilotage service.

30 Q. You speak also of moral and





1 physical standards of applicants and pilots. What do you  
2 mean by this Captain?

3 A. Yes, well we have a fairly strict  
4 eyesight test, and then each candidate has to come with  
5 a satisfactory doctor's certificate, and it is a doctor's  
6 certificate similar to an insurance application, a  
7 medical application, and he has got to submit this, and  
8 even then if the Department does not like it they can  
9 send him to the Department's doctor and have him re-  
10 examined.

11 Q. Does the pilot have also to take  
12 periodic examinations?

13 A. An eyesight test, yes, twice a  
14 year -- anyhow every two or three years he has to have  
15 another eyesight test.

16 Q. You speak there in the same para-  
17 graph of the control of the retirement age. Is there any  
18 fixed age for retirement?

19 A. Yes, in our district the retirement  
20 age is 65, but after 65 a pilot may go on, providing  
21 he can pass a medical which he has to pass every year,  
22 and that eyesight I think twice a year. He can go on to  
23 70, but he must have his medical to do it.

24 Q. What is sir, in your experience,  
25 the average age at which a pilot is normally accepted  
26 as a pilot, gets his license?

27 A. The average age in our district  
28 I think still stands at 44 years. That is the average  
29 age of entry.

30 Q. Now, in Paragraphs 19, 20, 21 and







1 22 of your brief, you speak of the strict control, or  
2 rigid control, by the government over your profession  
3 in regard to professional qualifications, conditions of  
4 employment, the tariff, discipline, licensing, and so  
5 forth. Are your pilots opposed to this rigid control  
6 by the Department of Transport?

7 A. No sir. In Paragraph 21 there  
8 we say that we think the Department should have control.  
9 We don't want them to relinquish control of this. We  
10 have pride in our service, and we think that the pilots  
11 should come under these controls, but we also think that  
12 in having these controls we should also have some  
13 privileges too.

14 COMMISSIONER SMITH: Such as?

15 THE WITNESS: Such as, well, privileges  
16 such as having some guarantee of our work. As a matter  
17 of fact, as far as any privileges, we figure right now  
18 we have privileges to compensate for that. We are not  
19 complaining that we have not got these privileges. We  
20 have got them.

21 Q. You speak also in these paragraphs  
22 of the discipline. Would you tell the Commission exactly  
23 what you have in mind in referring to discipline?

24 A. Well, the discipline of pilots.  
25 If any of our pilots in our district get out of line,  
26 we think they should be disciplined. We do not want  
27 them not to be disciplined, and we also in fact on  
28 several occasions have recommended disciplining pilots  
29 for different acts which they have done.

30 We like to maintain the highest quality







1 of pilotage service here, and we don't want any of our  
2 pilots to get out of line at all, and if they do we  
3 discipline them ourselves through the Department.

4 Q. Going on now to Page 12 of your  
5 brief Captain. In Paragraph 23 you state that the pilots  
6 have to provide themselves for their retirement without  
7 any contribution from the government. Has this been the  
8 case for a long time?

9 A. Well, this British Columbia Pilot-  
10 age service was only brought into being in 1929, that  
11 is, it was reestablished in 1929, and at that time there  
12 were quite a few elderly pilots in, and some of them  
13 were just ready for retirement as soon as the district  
14 was organized, and the Commission at that time recommended  
15 a pension fund to be built up in the Pilot's. So  
16 they had to buy annuities for some of these older  
17 pilots and put them off on annuities, and this money  
18 came out of the pilots' earnings. Afterthat they were  
19 contributing 7% into the fund, and finally it began to  
20 grow a little bit, until before the war it was just  
21 beginning to get where it could pay a few pensioners.  
22 Then during the war it went back down again. But since  
23 the war we have raised the deduction from 7% to 10%.  
24 It is not only the pilots paying 10%, it is 10% of  
25 the gross earnings of the district going into this, and  
26 as of 1960 I think it is actuarially sound but with very  
27 small benefits. It is sound because it has small  
28 benefits. If it had better benefits it wouldn't be sound.  
29 But it is an actuarially sound scheme.

30 Q. You speak of contribution from the





1 government. You say nothing about the contribution from  
2 the shipping industry. Are they contributing to your  
3 pension fund?

4 A. Well, we more or less -- we can't  
5 seem to find out what this is. We thought for a while  
6 this was an assessment on shipping to give the pilots  
7 a pension. It looked almost as though it might be.  
8 As a matter of fact, at one time the pilots used to have  
9 a pension thing mentioned in the bill, and the deduction  
10 was put into the pension. On the bill is a pension. But  
11 all we know is that this is 10% of the gross earnings  
12 of the district, and who provides it, I don't know.

13 Q. But this 10% is taken out from  
14 the gross revenues derived from the pilotage dues?

15 A. Yes.

16 Q. Is that correct?

17 A. Yes, sir, including some expenses.

18 Q. Including some expenses?

19 A. Yes.

20 Q. In your dealings with the  
21 Department in regard to pilotage dues, the amount of  
22 pilotage dues collectible in this district, has mention  
23 or consideration been made of or consideration given to  
24 including in these dues a portion for pension purposes  
25 of pilots?

26 A. Well, we discussed a few years  
27 back whether the pilots could come under the Civil  
28 Servants' Pension. We also discussed having a national  
29 pension, but I don't think it is a very good idea.  
30 I think as far as our pension scheme in British Columbia







1 is concerned here now, we have had some very bad things  
2 happen to it because, in the first place, the  
3 Department, when they were taking this money, they bought  
4 bonds and they bought quite a substantial amount of bonds.  
5 To-day they are worth .60 cents in the dollar, and to-day  
6 we are stuck with them; they give very little interest.  
7 Now we are thinking of taking them away from the  
8 government where we figure we could get a better deal  
9 out of it. We are not very happy with the way it is  
10 being operated.

11 Q. But, Captain, I don't think you  
12 answered my question. Is it to your knowledge, Captain,  
13 that part of the pilotage dues collectible from the  
14 shipping industry is set aside or destined to be put  
15 into your retirement fund?

16 A. Ten per cent of gross earnings.

17 Q. Does that form part -- this ten  
18 per cent is contributed by the pilots?

19 A. It is ten per cent of the earnings  
20 of the district, the pilots' earnings.

21 Q. Your total earnings?

22 A. Yes, sir.

23 Q. But now coming back to the  
24 pilotage dues, when they were set at the rates that  
25 they are set to-day, was there a portion included in  
26 these rates to provide for your pension?

27 A. No.

28 Q. Now, in Paragraph 24 of your  
29 brief, Page 12, you speak of expenses directly connected  
30 with the discharge of your functions. Are you referring







1 here to refundable expenses? Are these expenses re-  
2 funded to pilots?

3 A. The expenses on the west coasts  
4 of Vancouver, Island and the expenses on the trips north,  
5 to the north of 50, are returnable, but all expenses in  
6 all the gulf ports, bringing in ships from sea, that  
7 is not returnable, that is taken out of the pilots' dues;  
8 that is, the pilot's dues have to cover these expenses.

9 Q. When you say north of 50, are you  
10 referring to the 50th parallel of latitude?

11 A. That is correct.

12 Q. Would you explain the reason why  
13 this difference, this 50 degrees of latitude? Why make  
14 the difference in the expenses? What is the reason for it?

15 A. Well, this district used to be in  
16 zones at one time, there used to be two or three zones.  
17 Some pilots had a pilotage license for one zone, some  
18 had a pilotage license for two zones, and some had a  
19 pilotage license for three zones. That is the only reason  
20 I can see, that the expenses north of 50 on the west  
21 coast were different. But here back a few years ago, when  
22 they reestablished our rate, they made a rate for the  
23 pilotage into every port in the district, and the  
24 west coast pilotage was supposed to be all the same,  
25 every job was supposed to be the same, but it ended up  
26 that they took expenses on the north west coast, and  
27 on the gulf ports they didn't take their expenses. So  
28 in the north they are plus expenses; in the gulf ports  
29 it is less expenses.

30 Q. You refer to expenses of \$1,500.00





1 to \$3,500.00 per year in some districts. Are you re-  
2 ferring to this portion which is south of fifty degrees  
3 of latitude?

4 A. No, this is expenses which run  
5 between this. A pilot during the month may have one  
6 northern trip and most of his trips in the gulf ports.  
7 If it is \$3,500.00, part of that may be returnable, a  
8 portion of it is returnable for his northern trips; but for  
9 the gulf ports it is not returnable.

10 Q. Could you say what would be  
11 approximately the portion of expenses incurred over the  
12 year in the southern portion of the district?

13 A. Over a year?

14 Q. An average?

15 A. We have here, made out by the  
16 Department, pilots' expenses. It gives it in years  
17 here. In 1962, \$209,467.32.

18 Q. Captain Gosse, my question was --  
19 refer to your brief now, Paragraph 4 -- you mention that  
20 in discharge of their functions pilots have to incur  
21 expenditures which vary from \$1,500.00 to \$3,500.00.  
22 My question was, what would be the portion of these  
23 expenses which normally will be incurred while piloting  
24 ships in the southern part of your district? Just an  
25 approximation?

26 A. Oh, I would imagine that it would  
27 be maybe 60 per cent.

28 Q. Sixty per cent?

29 A. Yes.

30 Q. And I understand that this 60%







1 is not refundable; is that right?

2 A. That is right.

3 Q. Now, in Paragraph 25, on the same  
4 Page 12, you refer to fluctuations in your revenues,  
5 and you state that in the past pilots' earnings have  
6 fallen below that which was necessary to earn a decent  
7 living. Are you referring to your district when you say  
8 that?

9 A. Yes. During the first part of the  
10 war years I had months when I got \$70.00 a month for  
11 salary, and a boatman maybe got \$65.00 out of the split  
12 for pilotage.

13 Q. How long did this situation  
14 last?

15 A. It lasted -- that was the lowest  
16 we got, but from there to \$150.00 to \$200.00 a month  
17 it lasted for about two years.

18 Q. Have you had fluctuations outside  
19 of this period of the war?

20 A. Yes.

21 Q. Due to what? Economic conditions?

22 A. Yes. Before the war the pilotage  
23 here used to fluctuate quite a lot between winter and  
24 summer, but now we don't get as much as that; and since  
25 the war the number of ships coming here and tonnage has  
26 been gradually growing and growing. It is very seldom  
27 it drops very much. It has been growing all along. But,  
28 of course, the trouble is we have to put more pilots  
29 on to meet it, and as long as we can maintain a steady  
30 income, as long as we can put the pilots on and maintain







1 a steady income, we have no complaint. But the bad  
2 fluctuation was during the war, and since then it hasn't  
3 been much of a downward trend, it has been mostly up-  
4 ward.

5 Q. Are your revenues affected by  
6 economic conditions or labour troubles?

7 A. Oh, yes.

8 Q. Such as strikes?

9 A. Yes. That is about the only  
10 fluctuation we have had since the war, when maybe there  
11 is a lumber strike, longshoremen's strike. That could  
12 make a lot of difference.

13 Q. In Paragraph 26 of the brief on  
14 the same Page 12 you say that your pilotage revenues  
15 are directly proportionate to the volume of the traffic.  
16 Do you mean by that that in the case of decrease in  
17 the volume of traffic your revenues would be adversely  
18 affected to such an extent that it would be insufficient  
19 to provide for a decent living of the pilots?

20 A. That is right.

21 Q. And, conversely, when the volume  
22 of traffic increases, why, you have to work harder to  
23 earn your living?

24 A. That is right.

25 Q. Now, in Paragraph 27 you speak of  
26 your conditions of employment. Would you, please,  
27 tell the Commission generally speaking what are the  
28 conditions of your employment as far as weather con-  
29 ditions are concerned?

30 A. As far as weather conditions?





1 Q. Yes?

2 A. Well, we don't have any ice  
3 problems, that is, the harbours never freeze up; but we  
4 do have quite a lot of fog in certain seasons of the  
5 year, and winds. But we have quite a lot of rain and  
6 probably misty rain weather, too. And, of course, we  
7 have some nice weather too.

8 Q. You speak in the same paragraph  
9 of a pilot running the risk of suspension while naviga-  
10 ting a ship in poor weather. What is the matter in  
11 this respect, of the risk of suspension or cancellation  
12 of licenses in your district?

13 A. Well, fortunately we haven't  
14 had very much of it. And in the same breath I say  
15 that we haven't had many accidents either, so we haven't  
16 had to worry too much about suspensions. I think in my  
17 time in the service here I would say that suspensions  
18 for accidents have probably been about three or four  
19 that I can remember. That is in 26 years.

20 Q. Now, could you give us an estimate  
21 of the portion of your work which is performed at night  
22 or over weekends during holidays? Would you have any  
23 idea. If you don't, just say so?

24 A. Yes. As a matter of fact, I  
25 kept a graph of my own, and I took from five o'clock  
26 at night to eight o'clock in the morning and made a  
27 little graph showing darkness and light. I used from  
28 five o'clock, but it is not always dark at five o'clock  
29 and sometimes until nine or ten o'clock, but I was  
30 using five o'clock because that is when we are supposed





1 to quit work ashore.

2 Taking that from five o'clock until  
3 eight in the morning as night time, it turned out  
4 90 per cent night work.

5 Q. You work seven days a week?

6 A. We are on call seven days a week.

7 Q. Paragraph 28 of your brief,  
8 Page 13, mention is made that pilots are contributing  
9 to the public expenditures as tax payers while  
10 users of your pilotage service are not. Am I to under-  
11 stand that the majority of the users of your service  
12 on this coast are foreigners?

13 A. Yes, I would say practically  
14 100 per cent are foreign ships.

15 Q. What about your coastal ships?

16 A. The Canadian Coastal Vessels  
17 from the B. C. Coast do not employ pilots. That is  
18 where we derive our pilots from, but no Canadian  
19 coasting vessel on the B. C. Coast has to take pilots  
20 or pay pilotage.

21 Q. What type of ships ply as a  
22 rule normally? Give us the flags of the ships?

23 A. We have British ships; we have  
24 many Greek ships; Liberian-registered ships, which may  
25 be Greek, or Italian or even American or other countries.  
26 Norwegian, Swedish ships, Danish - practically all  
27 nationalities except Canadian.

28 Q. Do the ships employ Canadian  
29 crews?

30 A. Of course there is an occasion









1 where a Canadian man might get a job on a foreign boat.

2 Q. But as a rule?

3 A. No.

4 Q. These ships ply between which  
5 ports generally speaking as an average? Are they all  
6 ocean-going ships?

7 A. Oh, yes. We consider anything  
8 that goes out the Straits of Juan de Fuca past Cape  
9 Flattery - we consider any ship that trades outside of  
10 Flattery on the Pacific Ocean as ocean-going ships.

11 Q. Plying normally between which  
12 ports?

13 A. They can be plying between any  
14 ports; Vancouver, and they go down through the canal  
15 and across to Europe or they can go across to Japan  
16 or China or California or South America.

17 Q. Do you have any of these foreign  
18 ships plying on international voyages between ports  
19 off the British Columbia Coast and ports off the West  
20 Coast of the United States?

21 A. Paper boats, they ply between  
22 ports in British Columbia and California ports I  
23 believe. There is quite a number of them in the paper  
24 trade, the pulp and paper trade.

25 THE CHAIRMAN: Mr. Langlois, we  
26 might recess for a few minutes for the witness. He  
27 has been sitting there for an hour and a half.

28  
29 ---Short Adjournment.

30 Q. Captain Gosse, before we ad-





1    journed you were talking about the foreign ships plying  
2    the waters in your district.  Am I to understand that  
3    your pilotage services are provided exclusively to foreign  
4    flag ships?

5 A. I am afraid now we have no Canadian  
6 ships. We did have Park ships running in here, Canadian-  
7 owned, but not in the last few years.

8 Q. What cargoes do these ships carry?

9 What type of cargo?

10 A. I would say mostly lumber, grain;  
11 we have a lot of iron ore ships coming in here now, pulp  
12 and paper ships, bulk cargo coal; any produce. A lot  
13 of it is not manufactured goods, but a lot of it is raw  
14 produce.

15 Q. Would you be able to tell the  
16 Commission the percentage of ships which ply between  
17 Canadian ports and American ports?

18                      A.        The percentage?

19 Q. You said 50 per cent of these ships  
20 are plying between Canadian and American ports?

21 A. I do not think it would be quite  
22 that much. I think maybe 35 or 40 per cent.

23 Q. Thirty-five to 40 per cent would  
24 ply between Canadian and American ports?

25 A. That is only an estimate. I am  
26 not taking that from any record.

27 Q. Is it to your knowledge that these  
28 ships when they are in American pilotage waters have to  
29 pay pilotage dues?

30 A. Yes, I think almost every port in







1 the United States of any consequence has compulsory  
2 pilotage. The only one that I know of is the Columbia  
3 River, and I do not think they have it there.

4 Q. Now, Paragraphs 30, 31 and 32 on  
5 Pages 13 and 14 you speak of travelling outside your  
6 district in order to embark or disembark from ships. How  
7 often are you called upon to go outside of your district?

8 A. Previous to the last two years  
9 we were called upon quite often to go through to Seattle,  
10 Bellingham and Anacortes, Tacoma on the Puget Sound with  
11 ships. It has been reduced considerably lately I think  
12 through some troubles, whether it is shipping troubles  
13 or other pilotage troubles or our own pilotage troubles.  
14 I do know what it is, but it has cut down on the trips  
15 down to Puget Sound.

16 However, we still sometimes are asked  
17 to travel down to California to pick up tankers and  
18 sometimes the Columbia River to pick up freighters bound  
19 to some of our outports in order that they would not have  
20 to deviate into our boarding stations to pick up a  
21 pilot. They asked us to give this service for them, and  
22 of course they pay us for doing it.

23 Q. Am I to understand when you say  
24 "they have asked us", you are giving these outside services  
25 under an agreement with the shipping industry?

26 A. Yes. We have an agreement with  
27 the Standard Oil Company -- as a matter of fact, a signed  
28 agreement with the Standard Oil Company to go to California  
29 for these ships, and sometimes travel back to California  
30 with these ships.







1 This agreement with the Californian  
2 tankers also could apply to any other ship that wanted  
3 this service, but these services are only given if we  
4 can spare the pilots to do it.

5 Q. Captain Gosse, I am showing you  
6 here an agreement entered into on November 16, 1961, be-  
7 tween Californian Shipping Company and B. C. Pilots  
8 Committee. Is that a sample of the agreement you are  
9 referring to?

10 A. That is the agreement we are  
11 presently working under. Signed by Captain Williams of  
12 Californian Shipping Company and Captain K. Bennett, now  
13 deceased. He was Chairman of the Pilots' Committee at  
14 the time.

15 MR. LANGLOIS: Would you mind filing  
16 this as Exhibit 81?

17 ---EXHIBIT NO. 81: Agreement between Californian  
18 Shipping Company and B. C.  
19 Pilots' Committee dated November  
16, 1961.

20 Q. I understand, Captain, that you  
21 are providing these services outside of your district  
22 for the convenience of the shipping industry; is that  
23 correct?

24 A. That is right. At their request.  
25 They request us to do it, and we have said to them if  
26 the exigencies of the service permit, we would do this.

27 Q. Under this or these agreements  
28 who pays for your travelling time outside of your  
29 district?

30 A. Well, the trips to Puget Sound,





1 there is a flat rate, and the trips to California, there  
2 is a flat rate plus expenses.

3 Q. What do you mean, flat rate? Is  
4 that a detention rate?

5 A. That is the rate for going outside  
6 our district to join these ships. It is not a pilotage  
7 rate. It is a rate for us going outside. It is con-  
8 sidered I think in our income as a detention rate.

9 Q. It is a detention?

10 A. It is collected as detention.

11 Q. For both the time spent travelling  
12 by air or land conveyance and also in the ships outside  
13 of your district?

14 A. That is right. It is from the  
15 time we leave our home port until we take over pilotage  
16 when this vessel enters our district.

17 Q. And this is quite apart from any  
18 pilotage dues in force in the district?

19 A. That is right. As soon as we  
20 get to our district, a point where a ship is entering  
21 our district, then that ceases and then we go on the  
22 pilotage rates from there to the destination.

23 Q. And apart from this or these  
24 agreements you are under no obligation whatsoever to  
25 perform these duties?

26 A. No, sir. We are just practically  
27 a passenger on the vessel until she arrives at our  
28 district.

29 Q. What would be the result if you  
30 would refuse to perform these extra services as regards







1 the movement of vessels, the speedy movement of vessels?

2 A. Well, this service was given volun-  
3 tarily in the first place by the pilots, but later it  
4 came to be a mandatory thing as far as the Department  
5 and the shipping people are concerned because at one  
6 time when we refused this, we were penalized more or  
7 less for refusing this service.

8 Q. You were penalized you said?

9 A. Yes, sir.

10 Q. Would you care to explain what you  
11 mean by that?'

12 A. Yes. It happened that we refused  
13 to go to Puget Sound, and because of this refusal the  
14 Department arbitrarily set up a boarding station at  
15 the Sand Heads which was inside our district so we could  
16 be taken off inside our district, and we ceased to get  
17 the pilotage further than that.

18 Q. When did that happen?

19 A. Two years ago.

20 Q. Does the same situation obtain  
21 now?

22 A. No. This refusal on our part I  
23 think lasted about a month or a month and a half, and  
24 then we agreed to go back exactly as we did previous as  
25 going through to Seattle. They also increased the amount  
26 of money they paid us to do this, but that was done before  
27 we declined to go. After when we said we would go back  
28 to it, then we wanted to go back exactly the same as it  
29 was previous, and in the meantime a bit of complication  
30 arrived.







1 I think now we get about less than a  
2 quarter of these jobs to do as to what we did before, but  
3 not because we do not do it, it is because of some con-  
4 flicting arrangements probably in the State of Washington  
5 or outside of our jurisdiction.

6 Q. What was the reason for your  
7 refusal on that occasion?

8 A. The reason for our refusal was  
9 because in the first place we asked for an increase. That  
10 was granted, but then we also at the same time asked for  
11 other increases, and the Committee at the time decided  
12 that if they would not give us these other increases,  
13 they were not going to do the extra services.

14 Q. Which Committee are you referring  
15 to?

16 A. The Pilots' Committee at that  
17 time.

18 Q. In these negotiations for your  
19 detention rates and your travelling expenses outside of  
20 your district, did the Department of Transport participate  
21 in such negotiations?

22 A. No. The only thing is we cannot  
23 make an agreement like that unless the Department will  
24 okay it; unless they will go along with it we cannot make  
25 an agreement to do something if they would not sanction  
26 it.

27 Q. Am I to understand then that you  
28 negotiated alone with the shipping industry for these  
29 detention rates and travelling expenses outside of your  
30 district, but you have to obtain the permission of the





1 Department of Transport to perform these services? Is  
2 that right?

3 A. That is right.

4 Q. Are these services covered by any  
5 of your pilotage bylaws?

6 A. Well, they were covered for a  
7 while. They were put in the Puget Sound rates or put  
8 in the bylaws for I think approximately three years,  
9 but it was not at our request. I think it probably was  
10 at the request of the Chamber of Shipping, but it was not  
11 at our request, and we have requested that it be taken  
12 out of there.

13 Q. What was the reason for this  
14 request?

15 A. The reason for the request is  
16 because as a matter of fact we were told that it was not  
17 legally correct to have them in the bylaw; they could not  
18 put a rate outside our district in the bylaws -- not  
19 legally.

20 Q. When you speak of going outside  
21 of your district, you do not, unless I am mistaken,  
22 necessarily refer to going into American waters?

23 A. We never pilot ships in American  
24 waters.

25 Q. No, but when you have to go out-  
26 side of your district it could happen that you are still  
27 within Canadian waters in doing so?

28 A. We go outside of our district  
29 purely to join ships, not to pilot the ships.

30 Q. You go outside not as a pilot?







1 A. Oh no, when we leave our district  
2 we are outside of our district as a pilot altogether.  
3 We never do any pilotage outside our district.

4 Q. You are merely in a ship as a  
5 passenger?

6 A. Yes, riding to our pilotage  
7 limits. As soon as we get to our limits we are the  
8 pilot..

9 Q. If I interpret you correctly, you  
10 do that for the convenience of shipping?

11 A. That is right.

12 Q. In order to avoid the necessity  
13 to go to your boarding stations in order to take you  
14 on board, or to disembark you also?

15 A. That is right.

16 Q. In other words, in doing that  
17 you are saving steaming time for the ships concerned?

18 A. That is right. They ask us to  
19 do this because it saves them money. Although they pay  
20 us, they still save money on that.

21 Q. Would you have the figures, Captain  
22 Gosse, for the amount which was paid to your pilots in  
23 1962, both in detention rates and travelling expenses?  
24 If you could give these two separately I believe the  
25 Commission would appreciate it. How much was paid in  
26 detention rates, and how much was paid in travelling  
27 expenses? Would you have these figures?

28 A. Detention rates for the year  
29 1962, the amount of money ---

30 Q. You received?







1 A. We received in 1962 on detention  
2 \$117,577.23. That was the total received for that year.

3 Q. And the travelling expenses?

4 A. Well, the travelling expenses was  
5 not revenue.

6 Q. No, no, but how much did you  
7 receive in travelling expenses on these trips outside  
8 of your district?

9 A. It shows travelling expenses here,  
10 but I am afraid that is not for these outside of the  
11 district charges. I think the travelling expenses are  
12 included in that detention figure.

13 Q. Who would be in a position to  
14 give the Commission this information Captain Gosse?

15 A. Pardon?

16 Q. Who would be in a position to give  
17 this breakdown to the Commission?

18 A. I think you would have to call  
19 the Superintendent. These are the figures of the Depart-  
20 ment of Transport I am working on.

21 MR. JACQUES: If I may interrupt, my  
22 lord, these figures will be given to the Commission,  
23 along with other figures, by the local Superintendent  
24 later on.

25 Q. Just as a matter of interest,  
26 would you tell the Commission what is the greatest  
27 distance that you are called to travel in this way, when  
28 you perform these services outside of your district?

29 A. Well, the Standard Oil tankers,  
30 they order a pilot and we fly down to El Secundo, or the





1 Los Angeles District, or the San Francisco District, and  
2 we even sometimes have to wait a few days for the ship  
3 to take her cargo aboard, but sometimes she is ready.  
4 But anyway we start off from there, and if they are  
5 going into Prince Rupert or Watson Island we travel four  
6 or five days before taking on pilotage at all. Then  
7 we take them into the port, wait for them to unload  
8 their cargoe, which takes about one day. Then we take  
9 them out to sea again, and sometimes we have to go with  
10 the ship to Alaska, and fly back from Alaska. And some-  
11 times the ship goes to California, so we fly back from  
12 California. The same thing happens in Ocean Falls  
13 and Port Alice. We go down to California, join the  
14 ship, and travel up.

15 Q. So that in doing this the pilot  
16 could be away from the station, or from his place of  
17 residence, for a number of days?

18 A. The last trip I made to California  
19 for a tanker I was away fourteen days, on the one job.

20 Q. Have you ever received any  
21 complaints from the shipping industry, from the users  
22 of these services, of the expense to them in providing  
23 these services?

24 A. No sir. As a matter of fact the  
25 pilots in British Columbia are very pleased with the  
26 Standard Oil Company's arrangements. They go out of  
27 their way to make us comfortable, and they go out of  
28 their way to make our hotel and plane reservations,  
29 and they go out of their way to make us enjoy these  
30 trips, probably so that we won't refuse to do these







1 things. They go out of their way to make us comfortable  
2 on these trips.

3 Q. But my question was, on the part  
4 of the users of the service, the shipping industry, have  
5 you ever received complaints from them to the effect  
6 that these detention rates were too high, and that  
7 they were called upon to pay too much in travelling  
8 expenses to your pilots? Have they complained of that  
9 in the past, those who are using your services?

10 A. Are you referring to these outside  
11 the district?

12 Q. Yes, outside the district only?

13 A. Well, I don't think we have had  
14 any complaint, not that I know of.

15 Q. Are these agreements like the one  
16 that you filed as Exhibit 81, are they renegotiated  
17 from time to time between the pilots and the shipping  
18 industry?

19 A. Yes, oh yes. If the cost of living  
20 goes up, or if something happens, we might apply for a  
21 better rate. That would probably be the only time they  
22 would change.

23 Q. How many agreements of the type  
24 of the one that you filed as Exhibit 81 are in existence  
25 to-day? Do you have only this one, or do you have  
26 many of them?

27 A. We don't have a signed agreement  
28 for travelling to Puget Sound, but I think that the  
29 Superintendent and the Chamber of Shipping have agreed,  
30 whether it is just verbally, or whether it is in writing,







1 I couldn't say, but it is agreed between the Chamber  
2 of Shipping and our Superintendent of Pilots that the  
3 rate that is paid for that is the charge against --

4 Q. It is a verbal arrangement?

5 A. I don't know whether it is verbal,  
6 or whether it is in writing. I couldn't say.

7 Q. But it could be in writing?

8 A. It could be. It probably is.  
9 I don't know.

10 Q. So am I to understand that you  
11 negotiate these agreements with the local Chamber of  
12 Shipping of Vancouver, and not directly with the ship  
13 owners concerned?

14 A. The Puget Sound agreement is done  
15 with the local Chamber of Shipping. The California  
16 agreement is done with the Standard Oil Company or the  
17 California Shipping Company. At the same time as we  
18 say the agreement with the California Shipping Company --  
19 if any other ship wants to use that same agreement,  
20 why the pilots are agreeable to give them that service  
21 too, but to date we have not had much of that.

22 Q. Now, in Paragraphs 33 and 34,  
23 Page 15, you speak of your earnings and of pilotage  
24 dues. Is it to your knowledge, sir, that either the  
25 Chamber of Shipping, or individual ship owners, have  
26 complained in the past about your pilotage rates being  
27 too high in this district?

28 A. Well, the thing that I will say  
29 to that is that in the past few years when we have  
30 meetings with the Chamber of Shipping they don't very





1 often talk rates to us. As a matter of fact, they more  
2 or less refuse to talk rates. They only talk revenue,  
3 what the pilot is getting. We ask them to compare our  
4 rates with other districts, but they don't seem to like  
5 that system. They say we would sooner compare your  
6 earnings with other districts, and they say our earnings  
7 are too high, and that they don't want to talk rates  
8 with us.

9 COMMISSIONER SMITH: When they say  
10 "other districts", do they mean other districts in  
11 Canada, or outside of Canada?

12 A. Well, I imagine they are referring  
13 to other districts in Canada. I don't know what they  
14 are referring to, but they just say our earnings are  
15 too high. That is the answer we mostly get.

16 Q. How are your pilotage rates fixed  
17 here? Is it through negotiations between pilots, the  
18 Chamber of Shipping, and the Pilotage Authority? How  
19 is it done?

20 A. Well, previous to the changeover  
21 of rates we always met with the Chamber of Shipping.  
22 We discussed the rates, and as a matter of fact we still  
23 meet with them and discuss rates, and we don't have any  
24 trouble. We don't have any animosity too much. We  
25 have very friendly meetings, but in the latter few years,  
26 on account of the extra services we are making a little  
27 better remuneration than they think we should make,  
28 and we don't get too far with our meetings. But if  
29 we do get a change of rate it is done through negotiation  
30 with the Chamber of Shipping and the Department of







1 Transport.

2 Q. How long sir have your present  
3 pilotage rates been in effect?

4 A. The present pilotage rates were  
5 put in -- we had a changeover of rates here. We changed  
6 from net tonnage and draft to gross tonnage, draft,  
7 and mileage. I would just have to check on what date  
8 that was, but I think it was about five or six years  
9 ago. It was 1958, but previous to 1958 the basic rate  
10 for pilotage into British Columbia was similar to that  
11 that was in effect in 1903. That is the basic rate  
12 of one cent a ton and two dollars a foot draft. That  
13 was the rate set here way back before I can remember,  
14 and that same basic rate was in effect. The only  
15 difference was that there was some changes in detention,  
16 and other fringe benefit things, which made the rate  
17 a little better, but the same basic rate of a cent and  
18 two dollars a foot was in effect up to this changeover  
19 of rates.

20 Q. When you speak in Paragraph 34  
21 of exemptions, or payments of pilotage dues, am I to  
22 understand that if exemptions were granted to the ships  
23 to which you are providing pilotage services presently,  
24 it would be equivalent to giving exemptions to ships  
25 of foreign registry. Is that a fact?

26 A. Any ship that we pilot on this  
27 coast -- any exemption would be given to foreign ships,  
28 because we don't have Canadian ships here. We don't  
29 pilot Canadian ships.

30 Q. In Paragraph 34, you speak of







1 comparison between the pilotage rates in effect here in  
2 your district and in other districts. I have here, sir,  
3 a table of comparable pilotage dues.

4 A. Yes, this is a comparison of  
5 dues in the different districts. Puget Sound, Columbia  
6 River, Sidney, Nova Scotia, Saint John, New Brunswick,  
7 Montreal, Halifax.

8 Q. Have you had anything to do with  
9 the preparation of this table?

10 A. This table, yes, it was prepared  
11 by one of our Committee men and myself, and we have  
12 done this and brought it up to date. We had done it  
13 before. We brought it up to date as to the bylaws we  
14 received in February.

15 COMMISSIONER SMITH: May I have a look  
16 at that Mr. Langlois?

17 MR. LANGLOIS: I will file it first.  
18 Would you mind, sir, filing this Table of Comparative  
19 Pilotage Dues as Exhibit 82?

20 THE SECRETARY: It will be Exhibit No.  
21 82.

22 ---EXHIBIT NO. 82: Table of Comparative Pilotage  
23 Dues.

24 MR. LANGLOIS: Are there any questions  
25 about this table?

26 COMMISSIONER SMITH: I wonder, if your  
27 lordship pleases, if I could ask Mr. Langlois to let me  
28 ask a question or two here, which have a bearing on the  
29 rates mainly, and the earnings?  
30





1 I would like to get on the record an  
2 illustration of the route and the rate and earnings of  
3 the pilot. In case there might be any misunderstanding  
4 about my intention back of that, I want to say right  
5 off quickly that I am not critical of the rate, nor am  
6 I critical of the earnings of the pilots.

7 According to information that has been  
8 supplied to me, not by the pilots nor by their rep-  
9 resentatives, the pilotage earnings are higher in the  
10 district across the border than they are here. However,  
11 be that as it may, I just wanted to clarify that point  
12 before I ask this question.

13 On a ship of 5,000 tons piloted from  
14 Vancouver to Prince Rupert, I would ask you to check  
15 pretty carefully my mathematics, because they are not  
16 very accurate. Half a cent per ton, \$25.00; one dollar  
17 per foot draught, \$25.00; \$30.25 charge, Second Narrows  
18 Bridge; 82½ cents per mile, \$382.12; half a cent per  
19 ton, \$25.00; a dollar per foot draught, \$25.00. And then  
20 there is another charge of \$259.21 where a second pilot  
21 is used.

22 Now, would that be a correct statement  
23 of the application of the rate and the revenue received  
24 by the pilot from that tour from Vancouver to Prince  
25 Rupert?

26 THE WITNESS: You stated something about  
27 a Second Narrows charge.

28 COMMISSIONER SMITH: Yes, a small charge  
29 of \$30.25.

30 THE WITNESS: The ship must be going







1 from up above the Second Narrows Bridge. That ship would  
2 have to be leaving from Port Moody, or somewhere up there.  
3 If it were going from Vancouver there would be no Second  
4 Narrows charge.

5 COMMISSIONER SMITH: Well, that was  
6 the information given to me. Eliminating that, it is  
7 only a small thing of \$30.25?

8 THE WITNESS: Eliminating that, the ship  
9 would pay the tonnage rate and the draft rate, plus the  
10 mileage rate to Prince Rupert, and plus half of the  
11 rate for the extra pilot. There again the pilots  
12 think it is not right, because if we supply two men  
13 they should pay double pilots.

14 COMMISSIONER SMITH: Yes, I understand  
15 that. It is in your brief. But I am just quoting here  
16 from the bylaw the way it stands at the moment.

17 THE WITNESS: If I could see that. I  
18 couldn't quite follow you, but you just charge tonnage  
19 rate. One tonnage rate out of Vancouver, one draft  
20 out of Vancouver, a tonnage rate into Prince Rupert, and  
21 a draft rate into Prince Rupert, plus so much mileage.

22 COMMISSIONER SMITH: Plus 82 cents a  
23 mile?

24 THE WITNESS: Yes, that should be  
25 right.

26 COMMISSIONER SMITH: Thank you.

27 MR. JACQUES: If I may say so, Mr.  
28 Smith, you will find several examples which have been  
29 worked out, and are contained in the brief to be sub-  
30 mitted by the Aluminum Company of Canada at the Prince





CORRECTION

Line 12:

900 Tons

SHOULD READ:

9,000 Tons





1 Rupert hearing.

2 COMMISSIONER SMITH: Yes, I have that  
3 brief, but I have not read it yet. It was just handed  
4 to me this morning, and I haven't had a chance to study  
5 it.

6 I am sorry Mr. Langlois to interrupt  
7 you.

8 Q. Captain Gosse, what has been the  
9 trend on the case here of ships in recent years, since  
10 the war years as to dead weight capacity of ships? In  
11 other words, what is the average dead weight capacity  
12 of a ship used to-day, as compared to the dead weight  
13 capacity of the average ship used say in those years  
14 immediately after the war?

15 A. Oh, the ships to-day and what  
16 were used after the war -- the ships to-day, most of  
17 them carried two or three times the cargo. The ones  
18 we had here, 10,000 Liberty ships, could carry 900 tons  
19 of cargo, Now the ships going out carry 30,000 tons  
20 or 40,000 tons of cargo. As a matter of fact, the  
21 Port of Vancouver in the last couple of months has  
22 shipped the largest grain cargo out of here and the  
23 largest lumber cargo out of here. When you think of  
24 the ships getting that way, they change considerably,  
25 the size and the structure has changed considerably.

26 Q. How big was that ship you referred  
27 to?

28 A. The Sonic was the one that took  
29 the grain cargo out. I can get you the gross tonnage.

30 Q. And the size of ships carrying





1 lumber?

2 A. They are about 700 feet long. As  
3 a matter of fact, there is a picture down there in my  
4 folder if you would like to see it. Also the Sonic with  
5 grain cargo.

6 Q. What was her dead weight, do you  
7 know?

8 A. I haven't got the dead weight  
9 tonnage. I have gross tonnage.

10 Q. Do you know how many feet of  
11 lumber she could carry, how many thousand feet?

12 COMMISSIONER RENWICK: I think that  
13 was 11.22 million.

14 THE WITNESS: Yes, 11 point something  
15 million board feet of lumber.

16 Q. So you say the dead weight of the  
17 average ship here has in some cases doubled and in others  
18 trepled since the war years?

19 A. Yes.

20 Q. In the same period what have been  
21 the modifications to your pilotage rates? Have they  
22 doubled or trepled?

23 A. No, I am afraid not.

24 Q. Would you be in a position to give  
25 to the Commission what have been the increases over the  
26 years, since war years, to 1962 in the pilotage rates?  
27 Would you be prepared to give that to the Commission  
28 at a later stage of this sitting? What have been the  
29 increases in your pilotage rates since the war years?  
30







1 A. Well, the pilotage rate hasn't  
2 increased except that the tonnage exemptions have been  
3 taken out, but the basic rate hasn't changed.

4 Q. You mean the basic rates have  
5 not changed since the war, since 1945?

6 A. That is right. It has changed in  
7 this way, that the Department took the basic rate  
8 and took the pilotage for ships into here and they made  
9 calculations and changed the rate because we used to  
10 charge a net tonnage and draught and no mileage; that  
11 is in No. 1 district. In the northern district we used  
12 to have mileage, but then they came out with a new rate  
13 to give us approximately the same earnings, but they  
14 based it on gross tonnage, draught and mileage, and  
15 that was for the whole district. But that was the only  
16 way it was changed, and that was changed over in order  
17 that we shouldn't make any more revenue out of it.  
18 In other words, the same basic rate was in this. It was  
19 changed in the way of charging, but not to give us any  
20 more revenue.

21 Q. Now, in Paragraph 37 on Page 15  
22 you speak of the good teamwork on the part of pilots and  
23 the friendly cooperation between the shipping companies  
24 and the pilots. Would you say that this is the general  
25 picture to-day?

26 A. Yes, in this way. You see, we  
27 are operating full out here. As a matter of fact, the  
28 pilots are doing too much work, they are overworked.  
29 But we could not service these ships if we didn't have  
30 the co-operation of the shipping people and if we didn't





1 have the air service and the co-operation of the Depart-  
2 ment. But with the good teamwork and with the co-operatio  
3 of everybody, we service the ships and we service them  
4 and there are very few times that a ship has to wait  
5 for a pilot on the British Columbia Coast.

6 Q. I have here, sir, a letter dated  
7 August 31, 1961, to your former Chairman of British  
8 Columbia Pilots by Mr. Balcer, Minister of Transport.  
9 Would you mind filing this as Exhibit 83?

10 ---EXHIBIT NO. 83: Letter dated August 31, 1961  
11 from Minister of Transport  
12 to former Chairman of British  
Columbia Pilots.

13 MR. LANGLOIS: My lord, I refer you  
14 to the third paragraph in particular of this letter from  
15 the Minister of Transport, which reads as follows:

16 "We have recently discussed British  
17 Columbia Pilotage with representatives of the Vancouver  
18 Chamber of Shipping, and we are pleased to hear they  
19 speak of their complete satisfaction with the services  
20 rendered by your organization."

21 THE CHAIRMAN: Are you going on to any  
22 other subject now?

23 MR. LANGLOIS: Yes.

24 THE CHAIRMAN: It is now half past  
25 twelve, so I think we will adjourn until two o'clock.

26  
27 ---Whereupon the Hearing adjourned at 12:30 P.M.  
until 2:00 P.M.

28  
29 ---On resuming at 2:00 P.M.

30 MR. JACQUES: My lord, before we







1 resume the examination of Captain Gosse, we have ob-  
2 tained the chart which was missing this morning which will  
3 be filed as Exhibit 84, Chart 3450, Turn Point to Sand  
4 Heads.

5  
6 ---EXHIBIT NO. 84: Chart 3450.

7 MR. JACQUES: On this chart I would ask  
8 the witness to indicate the change-over station coming  
9 up from Puget Sound with the letter A in red.

10 ---BY MR. LANGLOIS:

11 Q. Captain Gosse, Paragraphs 38, 39  
12 and 40 of your brief on Page 16, you mention that by  
13 mutual consent between the Chamber of Shipping and the  
14 Pilots, compulsory payment of pilotage dues was reestablish-  
15 ed on the coast here. Is that a fact, sir?

16 A. Yes, sir.

17 Q. Now you go on in Paragraph 40 and  
18 you talk of the deplorable conditions which existed  
19 prior to 1929, and you quote in Paragraphs 41, 42, 43,  
20 44, 45 and 46 -- my lord, this starts on Page 16 and goes  
21 on to Page 19.

22 Captain Gosse, this extract from Harbour  
23 and Shipping, August, 1957 that you quoted from, does  
24 it give an accurate description of the situation which  
25 existed at the time?

26 A. As I understand, it is pretty  
27 accurate.

28 Q. Have you anything further to  
29 say in regard to this condition at the time, or do you  
30 think this gives a complete picture of the situation?







1 A. It gives a very good description  
2 of the situation at that time I think.

3 Q. Now before we go on with this  
4 part of your brief dealing with the description of your  
5 district, would you tell the Commission as to whether  
6 or not ships that you are called upon to pilot are always  
7 equipped with an adequate supply of charts of the  
8 district when you board them?

9 A. I would say that some of them are,  
10 but a lot of them are not equipped with adequate charts.  
11 As a matter of fact, some of them -- I have even seen  
12 them with makeshift charts, coming into Prince Rupert  
13 with makeshift charts that they made out of weather  
14 charts of the north Pacific, and taking bearings, they  
15 even put down points there where they thought they were  
16 and were navigating in on that, and from there in to  
17 the harbour they had nothing at all.

18 Q. What have you got to depend on  
19 in that case?

20 A. Only the pilot's knowledge of  
21 the coast can stand him in that. As a matter of fact,  
22 if a good pilot knows the coast he doesn't need a chart  
23 particularly, except probably to check up and remind him  
24 of certain things. As long as the pilot is going to  
25 the coast the chart is a help, but he doesn't use it  
26 too much. He depends on his local knowledge in piloting  
27 ships in.

28 Q. What about navigation equipment  
29 on board these ships? Are they well equipped for  
30 navigation?





1 A. Most ships to-day are very well  
2 equipped, but we do get occasional ones that are not. We  
3 still have some of them without gyros, without radars,  
4 and some of them without even proper sounding machines.

5 Q. Are most of these ships equipped  
6 with D/F?

7 A. Yes, some are. I have seen ships  
8 equipped with D/F and none of the officers could handle  
9 the D/F. They called the wireless man out to handle it.

10 Q. Are these ships mostly equipped  
11 with radio telephone sets?

12 A. Not too many of our ships are.  
13 On this coast we haven't too many places that it can be  
14 used to advantage. If they had them, we could use them  
15 talking from ship to ship, but there are a lot of ships  
16 that don't have radio telephones and there is no rule  
17 they should have on our coast here yet.

18 Q. They have wireless I suppose?

19 A. Oh, yes, wireless.

20 Q. Have you in your experience  
21 encountered difficulties as to English?

22 A. Well, not too much. We do have  
23 some ships -- most of the ships the Master can talk  
24 enough English. Some of them are good and some of them  
25 are fair and some of them are very poor. Sometimes the  
26 deck officers are not too good. As a matter of fact,  
27 sometimes when you give them helm orders, we use our hands  
28 and say port and starboard to indicate what we want.

29 Q. How do you do that in a dark  
30 wheelhouse at night?







1 A. Well, even in the dark wheelhouse  
2 you can see the hand if you turn around and say starboard.

3 Q. Is it the custom of some of these  
4 ships to use these blocks with the figures on to indicate  
5 the course you want them to steer?

6 A. You either write it down on the  
7 little blackboard or use the course block that they have.

8 Q. Now we come, sir, to the descrip-  
9 tion of your district starting with Page 20; you have  
10 there paragraphs 1 to paragraph 4 at the bottom of that  
11 page a description of your district. Is that an accurate  
12 description of the district? Is it complete or do  
13 you have anything further to add?

14 A. This is a fairly complete report  
15 on our district. It could be elaborated on quite con-  
16 siderably, but this is just a general description in  
17 as few words as we could possibly put it I guess you  
18 could say.

19 Q. What about the aids to naviga-  
20 tion in that district?

21 A. Well, quite a considerable amount  
22 of our lights are unwatched lights, and up the inside  
23 passage we have very few horns, and when we get north  
24 of 50 there are very few fog horns. As a matter of fact  
25 I think from Seymour Narrows to Queen Charlotte Sound  
26 there is probably one which would be a distance of  
27 about one hundred and fifty miles, one fog horn -- no,  
28 two fog horns until you get to the entrance of Queen  
29 Charlotte Sound where there is another one placed. Three  
30 up in Seymour Narrows, but the pilot, knowing the coast,







1 it is lit up enough. We have enough lights there. We  
2 are not complaining about the lights.

3 Q. You speak of unwatched lights.  
4 What is the percentage of those lights unwatched, un-  
5 attended?

6 A. The percentage?

7 Q. Yes?

8 A. Oh, I would say ninety per cent.  
9 Did you say that are unwatched?

10 Q. Yes?

11 A. Yes, there are about three lights --  
12 three lights in the district that are attended, and  
13 those are the ones that have the horn on.

14 Q. Am I to understand that the  
15 northern portion of your district is mostly uninhabited?

16 A. Yes, it is. Well, we describe  
17 it as rocks and Christmas trees, and that is about all  
18 you have. There are a few little villages, Indian  
19 villages in some places, and canneries. A lot of the  
20 canneries are disappearing, and there is very poor  
21 transportation up through there. There are no roads  
22 along the coast.

23 Q. The transportation is either by  
24 air or by water?

25 A. Yes.

26 Q. Now, you speak of deep water  
27 channels. Are there many anchorages in that district?

28 A. No. For a large ship we have  
29 very few anchorages on the coast because most places  
30 the water is too deep to anchor. In the channels espec-





1 ally there is very few places you can anchor on the  
2 way from Vancouver to Rupert.

3 Q. So for a master without a pilot  
4 on board, should he miss one light, and should one of  
5 these unattended lights be out, the only thing he has  
6 to do is to carry on or heave to. He has no place to  
7 anchor?

8 A. Well, the master and the pilot.  
9 Lots of times in the Alberni Canal and on the way up the  
10 inside passage you cannot find an anchorage so you keep  
11 the vessel in deep water. Mostly if the whistle is any  
12 good we get an echo off the south shore and we navigate  
13 by echo.

14 Q. Radar?

15 A. No, the whistle echo. If the ship  
16 has radar, of course, that is a considerable help too,  
17 but where they don't have a radar, you have to depend  
18 on the whistle echo.

19 Q. To navigate by whistle echo this  
20 must require some experience with the way the echo  
21 travels, and you get the echo back because this must  
22 vary with the various parts of the district? Isn't that  
23 a fact?

24 A. To navigate by echo whistle you  
25 must know what the land is like that you are getting  
26 the echo back or you don't know where the echo is coming  
27 from. If you are navigating by echo and there is an  
28 island and high land behind it, the shore echo hits  
29 the island and the high land and goes over and comes  
30 back and you can hear this and distinguish it.

CORRECTION

Last two lines:

Never heard of 40  
knot or 70 knot-  
currents

MUST HAVE MEANT:

4 or 7 knots





1 Q. For a stranger to the district it  
2 would not be very safe for him to go by that way?

3 A. Well, I have spoken to many captains  
4 on foreign-going ships and explained that we do that  
5 whistle echo navigation if necessary, and they think  
6 it is a joke. They think we are joking and think that  
7 we can't do it because they have never seen it done  
8 before I think.

9 Q. Now, sir, on Pages 21, 22 and  
10 23 of your brief you describe tides in your district,  
11 the B. C. Coast. Do you have anything to add to what  
12 you say in your brief in this regard?

13 A. Well, this item on tides is a  
14 general description of what you can find on the coast.  
15 To give you a full description of the tide on the B.C.  
16 Coast it would take a whole book to describe all the  
17 different ports we have and all the different tidal  
18 conditions we have, so this is more or less just a  
19 general description of some things you can encounter.

20 Q. What was the source of your in-  
21 formation on tides?

22 A. Well, we took some of it from  
23 the British Columbia Coast Pilot. That is the wording  
24 of it, and some was obtained from a tidal book that was  
25 put out by Captain Charlie Cates and his two brothers  
26 who are both master mariners and local men in the  
27 coasting.

28 Q. I see in Paragraph 9 on Page  
29 22 you speak of currents. Velocity of 40 knots, and  
30 sometimes up to 70 knots. Is that the strongest current





CORRECTION

Line 2:

0-knot current

ould I think  
E 7 knots





1 you are getting in your district?

2 A. Yes, that is the Seymour Narrows,  
3 the strongest current. It is not the strongest -- there  
4 are other places where there is more ebbs and more back  
5 eddies probably at certain stages, but that is where  
6 the tide - that is the channel that deep-water ships  
7 use, and that is where the tide is the strongest.

8 Q. Would you explain to the Commission  
9 what you do when you are bucking a 70-knot current with  
10 a 12-knot ship?

11 A. Well, we don't try to buck through  
12 Seymour Narrows with a 12-knot ship because we know it  
13 is impossible. After we get through the Seymour Narrows  
14 bound north we do have seven and eight and ten knot  
15 tides that we have to buck, especially around Salmon  
16 River and Helmeken Islands, and there are quite a  
17 few swirls there, and of course we have to try to  
18 keep the ship stemming the tide all the time and keep  
19 her in the flow of the tide and not get her into the  
20 swirls or she will head for the beach.

21 COMMISSIONER SMITH: I understand the  
22 pinnacles off Ripple Rock have been removed. Will that  
23 make any difference?

24 THE WITNESS: It has only made the  
25 difference that if you happen to get washed over it you  
26 might not hit the rock, but as far as the tide is con-  
27 cerned, it is still running strong and there is still  
28 as many eddies.

29 Q. I assume these strong currents  
30 create tidal rips? Is that a fact? Would you pick up





1 these tidal rips on your radar screen?

2 A. Oh, yes, very much. Any disturb-  
3 ance like that shows up. Well, it kind of confuses the  
4 picture considerably. If there was a small boat you  
5 probably wouldn't see it because there is too much  
6 jumble on the screen, on the radar.

7 Q. So the echoes from the tidal  
8 rips will in some way and to some degree decrease the  
9 efficiency of your radar?

10 A. Yes, and also rain squalls  
11 and snow squalls.

12 Q. What about the back echoes that  
13 you would get on your radar screen from the high cliffs?  
14 Would that affect that part of your district, the  
15 operation of your radar?

16 A. No, most radars if you have a good  
17 solid mountainside to get the echo off it, it is usually  
18 a pretty clear picture. In the newer radars -- the older  
19 radars maybe they would get some back echo.

20 Q. For example, if you have a high  
21 cliff and you have a ship between you and the high cliff,  
22 would you be able to pick up that ship?

23 A. It will depend a lot on the  
24 radar. I would not say you wouldn't, but it is quite  
25 possible that you would especially if she was a light  
26 ship.

27 Q. Wouldn't the stronger echo that  
28 you would be getting from the high cliff blur the  
29 smaller echo you would get from the ship you have between  
30 you and the cliff?







1 A. Well, up north in those channels  
2 you know they are not too wide anyhow, and by the time the  
3 ship got between you and the beach, you would see  
4 her anyhow.

5 Q. I mean in fog?

6 A. Well, in fog -- yes, it could.  
7 It has never been noticeable to my knowledge.

8 Q. What about fog conditions that  
9 you have in this district?

10 A. Well, in the northern channels  
11 especially in the morning, I guess over 50 per cent  
12 of the mornings you have some morning fogs around. As  
13 the sun gets up that might clear up, but after July  
14 or the middle of June why you can expect fog in most  
15 of these channels.

16 Q. Do you get this fog condition  
17 quite often?

18 A. Oh, yes, quite often. More so  
19 in the summer time. In the winter time we have more  
20 misty rain.

21 Q. You spoke of squalls, and rain-  
22 storms. Is the district provided with weather stations  
23 from which you can get weather forecasts?

24 A. On the way to Prince Rupert there  
25 are about three different stations you could get weather  
26 forecasts from, but proceeding up north it does not matter,  
27 if you are going up north there you have got to keep  
28 on going. You can't stop in those channels. There is  
29 too much tide to stop and delay your ship for it. Un-  
30 less you want to go to anchor, and if you are going to





1 go to anchor you are not going to get to your destina-  
2 tion in time.

3 Q. On Pages 24 and 25 you deal with  
4 navigation problems. Would you say that what you say  
5 there in these eight paragraphs gives us a pretty good  
6 idea of the navigation problems in the district?

7 A. Yes.

8 Q. In Paragraphs 2 and 3 you speak  
9 of the number of tug boats, and of fishing vessels in  
10 the Gulf of Georgia, and you give the figure of 5,000  
11 for fishing vessels. Will you tell the Commissioners  
12 if these vessels create a hazard to navigation, and in  
13 what way they do?

14 A. The fishing vessels we are referr-  
15 ing to there are these set-line fishermen. They go out  
16 and throw their line over the stern of the fishing boat,  
17 and they drag out the net, and the net is lighted at  
18 one end. They have a buoy with a light on it at one  
19 end, and then they trail the net out to the end, and  
20 then the boat is attached to the far end of it. In  
21 the salmon fishing season, at the end of July and August,  
22 off the Fraser River there is thousands of boats out  
23 there at nighttime, and they have one little light at the  
24 end of the net, and one little light on their boat, and  
25 they are strewn across. So a pilot going to sea with  
26 a boat from Vancouver at night time has to go right  
27 round the end of the Island, and then he can't get  
28 around then.

29 Q. Are they trawlers?

30 A. They are gill net boats.







1 Q. How big are they?

2 A. A gill net boat would usually have  
3 only one man aboard it. They are, I guess, usually  
4 40 foot boats, just big enough for the net and a little  
5 cabin for a man to sleep aboard, and they have a little  
6 gas engine.

7 Q. As a rule do they carry regula-  
8 tion lights for fishing boats?

9 A. Well, they have a light on the end  
10 of the net, and one light on the mast, and the fisherman  
11 will probably set them out, and then go down to the  
12 cabin to have a sleep till he gets his fish.

13 Q. So you have to be on the lookout  
14 for them?

15 A. Oh, yes. They don't get out of  
16 the way of you. You have to get out of the way of  
17 them.

18 Q. You mention in Paragraph 5 on  
19 Page 24 that due to the thick fog and depth of water  
20 in these channels it is impossible to anchor a vessel.  
21 What do you do then, when you meet this fog condition?

22 A. Well, as I explained there, that  
23 is where we use the whistle for echoes, to keep her in  
24 the centre of the channel.

25 Q. Am I to understand the water is  
26 too deep for the effective use of the depth sounder?

27 A. Oh, yes. You could use a depth  
28 sounder, but that is not going to do you any good for  
29 anchoring, because the water is too deep.

30 Q. In Paragraph 8, which is the last







1 paragraph on your navigation problems, you make mention  
2 of severe weather conditions, snow, heavy rain, and gales,  
3 and you point out that 90 per cent of these tours are  
4 at night. Why are 90 per cent of the tours at night?

5 A. Well, because the ships in the  
6 harbours, in Vancouver and the Island ports, and in all  
7 our ports, they work cargo by day, and then they finish  
8 up about five o'clock, and then they shift to the next  
9 port to start loading the next morning. Or if they are  
10 going to sea, they finish up and get her all lashed  
11 down about five or six at night and proceed to sea at  
12 nine o'clock at night.

13 Q. Now we come to Page 26, the  
14 Port of Vancouver. In Paragraphs 1 to 14, on Page 29,  
15 you give a description of Vancouver Harbour. Do you have  
16 anything to add to this description of the Vancouver  
17 Harbour?

18 A. No, I think that is a fairly  
19 good description.

20 Q. Do you have any navigation problems  
21 in the Vancouver Harbour that you would like to mention  
22 to the Commission this afternoon?

23 A. Well, there is one problem that  
24 has come very much to our minds and that is on entering  
25 the harbour, and also ships going out of the harbour,  
26 the lights in the background now on the north shore.  
27 There we have all these neon lights, and red lights, and  
28 blue lights, so a ship coming out of the Narrows at  
29 night time and another ship inbound, you can never find  
30 the side lights on a ship coming out with all these





1 different coloured lights. But a ship is signalled  
2 as coming out by putting a light on the First Narrows  
3 Bridge, but it is getting to be quite a problem to  
4 figure where these ships are, because the lights are  
5 blended in with the lights on the north shore. I don't  
6 think there is much you can do about it, but that is quite  
7 a problem just the same.

8 Q. Apart from that, are you satisfied  
9 with the aids to navigation in this harbour?

10 A. Yes, we keep asking for different  
11 changes in aids when we need them, and to this time we  
12 have not had much trouble in getting most of them.

13 Q. You have given some figures in  
14 this paragraph on the volume of traffic handled by the  
15 Harbour Board here. From where did you obtain these  
16 figures?

17 A. Well, I obtained them out of a  
18 pamphlet that the Harbour Board put out. I also sub-  
19 mitted four copies of this pamphlet to this Commission.  
20 Some of them I got out of that, and others I got out  
21 of other statistics.

22 Q. Am I to understand that all the  
23 information which you have given in these paragraphs  
24 came from official publications?

25 A. That is right.

26 Q. Now we come to Page 30, the  
27 Port of Victoria, which is described on Page 30 and 31  
28 of your brief. Do you have anything to add to what  
29 you say in your brief in regard to the Port of Victoria?

30 A. No, it is a general description.







1 Mind you, it is a brief description of Victoria, but  
2 at this time I don't think there is anything to add.

3 Q. Are you satisfied with the opera-  
4 tion of the boarding station at Victoria? You have a  
5 pilot boat there at Victoria?

6 A. We have three boats stationed  
7 there.

8 Q. Are you satisfied with the boats?

9 A. Well, yes, they are doing the  
10 job anyhow. They are not probably as good a ship as  
11 it could be, but they are doing the job, and I think  
12 they are suitable for the time being anyhow.

13 Q. Now, on Pages 32, 33, 34 and 35  
14 you give a physical description of the Port of Nanaimo,  
15 and the conditions prevailing at that port. Is that a  
16 complete description of the situation there?

17 A. Yes sir.

18 Q. Do you have anything to add to  
19 what you say in your brief?

20 A. No, nothing, but if the Commission  
21 would like any further description of it, if that is  
22 not complete enough, we could maybe add other things,  
23 but that is a pretty fair description.

24 Q. I note on Page 35, Paragraph  
25 13, that you have six pilots based in Nanaimo?

26 A. Yes sir.

27 Q. Is this number sufficient to  
28 handle the traffic there?

29 A. The reason we have these six  
30 men stationed in Nanaimo is really because Nanaimo







1 is a centrally located spot on the island, where they  
2 can service Port Alberni, Campbell River, Chemainus,  
3 and Crofton Harbour. Nanaimo was chosen because it is  
4 a more central spot than anywhere else. If we need  
5 them, we can even bring them back to Vancouver, or send  
6 them down to Victoria. They can reach Crofton, Chemainus  
7 and Port Alberni in a few hours.

8 Q. Of course you have good land  
9 communication with Nanaimo?

10 A. Oh, yes. There is a ferry service  
11 across to Nanaimo.

12 Q. On Pages 36, 37 and 38 you give a  
13 description of the Port of Alberni. Do you have anything  
14 to add to what you say there?

15 A. No sir. That is all we have to  
16 say at this time.

17 Q. I note in Paragraphs 4 and 5  
18 that you speak of dense fog being very frequent in the  
19 summer, and that you have only relatively safe anchorage  
20 in the harbour. Is that correct?

21 A. That is right. At Alberni  
22 in the summertime the fog will blow down there. You can  
23 just see it coming down the channel. It blows in  
24 there before you can find any place to anchor, if there  
25 was one there, so when you see the fog coming you are  
26 just stopped, and you have to just keep your ship in  
27 the centre of the channel, keep her off the shore.

28 Q. A master without necessary local  
29 knowledge would be in quite a difficult situation in  
30 a case like this?





1 A. Well, I have never seen the master  
2 who would want to be in that situation.

3 Q. You speak in Paragraph 6 of the  
4 unwatched lights in the Canal. Will you tell the  
5 Commission if these unwatched lights are often out?

6 A. Well, they are not out too much,  
7 but they can go out. They are not too reliable. As a  
8 matter of fact even the Light Book will tell you they  
9 are not reliable, but there is no horns there. It is  
10 just an unwatched light, and it can go out.

11 Q. You speak in Paragraph 7 of  
12 smog conditions. Is that a frequent occurrence?

13 A. Yes, you get the wind blowing  
14 down the channel, and these pulp mills pushing out  
15 this smoke and steam and stuff from the pulp mill, and  
16 it does, especially if it is bad weather anyhow, if it  
17 is misty weather, and you get this on top of it it makes  
18 a difficult situation.

19 Q. Would you mind explaining to the  
20 Commission what you mean in Paragraph 11 on Page 37,  
21 when you speak of annabatic winds occurring during the  
22 summer months?

23 A. Well, that is these winds that  
24 seem to sweep down from the mountainside and along the  
25 channel, and they come down from the valleys, and every  
26 morning and every evening you get some kind of a  
27 wind. Sometimes it is stronger than others, but it  
28 seems every evening and every morning in the Alberni  
29 you get a wind of some kind, either blowing up or down  
30 the canal.







1 Q. Are these winds strong enough to  
2 interfere with the movement of shipping?

3 A. At times they are. Loaded ships  
4 they don't bother so much, but if you have a light, moving  
5 ship in the harbour they do interfere with it.

6 Q. Now we come to the Port of  
7 Kitimat on Pages 39, 40 and 41 of your brief. Is the  
8 description of the Port of Kitimat given on these pages  
9 an accurate one?

10 A. Yes sir.

11 Q. Do you have anything to add to it?

12 A. No, nothing to add, unless something  
13 requires an explanation.

14 Q. What are the main navigation  
15 hazards coming into Kitimat?

16 A. Well, the main thing is the weather  
17 up there, and the Port of Kitimat itself is dredged  
18 out of the top of the harbour. They dredged a channel  
19 into the dock that is now silting in a little bit too.  
20 There is no proper anchorage up there, although we do  
21 on occasion anchor a ship off the flats, but a ship  
22 anchored off the flats should be attended, because if  
23 a wind blows off the channel she will drag her anchor  
24 and she will be up off the flats and ashore. The channel  
25 is dredged in there, but now it is silting up, and they  
26 have cut down on the amount of water going into there,  
27 so we have to be guided by the depth of water in  
28 accordance with the draft of the ship, whether we can  
29 go into the dock or not at the time.

30 Q. Sir, in Paragraph 2 on Page 39







1 you mention that the channel was dredged to a depth of  
2 31 feet, but that it was silting. How often is that  
3 channel dredged?

4 A. Well, it has never been dredged  
5 since it was first dredged out. It has never been  
6 dredged again. As a matter of fact, they were going to  
7 dredge it and the dredge on the way up there sunk in  
8 Queen Charlotte Sound, and it never got up. I don't  
9 think it has been dredged since it was put in there.

10 Q. What is the deepest draught ship  
11 you have taken in and out of the Port of Kitimat?

12 A. Oh, about 31 feet.

13 Q. What is the range of the tide  
14 there?

15 A. The range of the tide, about 24  
16 feet.

17 Q. And with the ebb tide, are you  
18 getting a strong current?

19 A. Yes. There is a bit of tide sweeps  
20 across the dock at all times, especially with low  
21 water. You get the flood coming out, too.

22 Q. What is the maximum current you  
23 would get there?

24 A. Oh, two to three knots.

25 Q. Is it running parallel to the  
26 channel?

27 A. Usually across the channel. At  
28 Kitimat, too, we sometimes have to turn the ships around  
29 there in that narrow channel, and to turn a ship  
30 around with this tide running it is quite a difficult





1 task. And the small tugs - they have a little better tug  
2 there now, but especially with any wind blowing it is  
3 difficult to turn around in that channel.

4 Q. Are they using the same type of  
5 tug they are using in Vancouver, the small gasoline-  
6 operated tug?

7 A. Well, the tug they have up there  
8 now is a diesel tug, but it is a small tug. Before that  
9 they had a Seine boat with a gas engine in, but it wasn't  
10 very satisfactory.

11 Q. When you gave me the tidal curr-  
12 ent into the channel leading into Kitimat as being be-  
13 tween two and three knots, were you speaking of the  
14 normal season or freshet season?

15 A. Well, there is always some tide  
16 in the freshet season, and when the river is running  
17 stronger it could go up to 4. But as a rule it would be  
18 less than 4.

19 Q. What is the nature of the river  
20 bed? Is it rock, mud?

21 A. The channel?

22 Q. Yes?

23 A. It is all rock, but where the  
24 wharf is is dug out of gravel.

25 Q. Gravel?

26 A. Yes.

27 Q. Would you get a good echo on  
28 your echo-sounder there from this gravel bottom?

29 A. Going into the wharf?

30 Q. Yes?





1 A. Oh, yes. But the ships are so  
2 close to the bottom there I don't think you would get  
3 any echoes.

4 Q. What about the weather conditions?  
5 Do you get much rain and fog?

6 A. Well, Kitimat is noted for its  
7 winds and blustery weather, and in the wintertime they  
8 get quite a lot of snow in there.

9 Q. Is it a fact that in this northern  
10 part of your district you get abrupt changes in weather  
11 conditions with very little warning?

12 A. That is right, yes.

13 Q. On Page 40, Paragraph 8, you men-  
14 tion the boarding place at Triple Islands. Would you tell  
15 the Commission if this boarding station is well-sheltered?

16 A. It is a very exposed boarding  
17 station, very exposed.

18 Q. Are there occasions when it is  
19 impossible for a pilot to board the ship when she is  
20 off Triple Islands?

21 A. Very frequently. The boarding  
22 station there is supposed to be two miles west of Triple  
23 Islands, and on many occasions we cannot get out as far  
24 as Triple Islands on account of weather conditions.

25 Q. Have you encountered any reluctance  
26 from the masters of ships coming into more sheltered  
27 waters to permit the pilots to board a vessel?

28 A. The masters are not too willing  
29 to come in there. You have reefs off Triple Islands, and  
30 north of Triple Islands there are reefs there, and









1 some of them break and there is a very confused sea  
2 there. On the west side of the channel the sea is  
3 breaking, and most of the masters do not like to approach  
4 this boarding station in bad weather.

5 Q. Now, in Paragraph 10 on Page 40  
6 you mention about tugs towing large log booms. How  
7 large are these log booms? What are dimensions of these  
8 log booms, on an average?

9 A. The flat booms can run to, oh,  
10 a thousand feet or more in length. But then they have  
11 these big log barges, and they tow these log barges  
12 down from the north country, more so than the flat ones.  
13 But they bring these big log barges, self-loading, some  
14 of them are, and they have 600 to a 1000 feet of cable  
15 between them and the boat and the boat is 400 or 500  
16 feet long, and they have to keep an eye on them and  
17 keep clear of them.

18 Q. As a rule, do these towing tugs  
19 lights to indicate they have something in tow?

20 A. Oh, yes. We also have the  
21 American barge service in the inside passage going to  
22 Alaska with container boxes on them, with these truck-  
23 trailer bodies on them, automobiles piled on their  
24 decks, and they come up on their way to Alaska, too.

25 Q. Do you feel that these tugs and  
26 their movements create an additional navigational  
27 hazard, especially to a man without any local knowledge?

28 A. Yes, going across to the Fraser  
29 River. There is hardly a night you don't come across  
30 two or three of these booms.





1 Q. On Page 40, Paragraph 11, and  
2 it carries on to Page 41 as well, you give reasons for  
3 having two pilots on ships, and the first reason is  
4 mental fatigue. Would you further --

5 MR. JACQUES: Excuse me for interrupting,  
6 but would you be so kind as to ask the witness to show  
7 on one of these charts the trips that are made when two  
8 pilots are on board the ship?

9 THE WITNESS: Well, to Kitimat, Prince  
10 Rupert.

11 Q. Captain, I am showing you here  
12 the chart No. 3837, Queen Charlotte Sound to Dixon  
13 Entrance, which is filed as Schedule A1 to your brief.  
14 Would you indicate on this chart where you feel that  
15 two pilots should be necessary?

16 A. Well, from Triple Islands here,  
17 that is where the pilots take over, and up here.

18 Q. By "up here" you mean from where?

19 A. Well, wherever he boards, up to  
20 McInnes Island. The master brings his ship up to there  
21 when he gets three miles off McInnes Island up to  
22 Kitimat.

23 MR. JACQUES: Shown by a red line on  
24 Schedule A1 of the British Columbia Pilot brief. There  
25 are several red lines. I would ask you to trace a  
26 blue line.

27 Q. Trace with your blue pencil the  
28 track up to Kitimat where you feel there should be two  
29 pilots on board.

30 --- (Witness complies)







1 Q. So one of the reasons given in  
2 your brief is first, mental fatigue. Would you like, sir,  
3 to elaborate on this?

4 A. Well, only to say that we think  
5 that any ship that requires a pilot should have a rested  
6 pilot and should have a pilot who is not going to be  
7 too long on watch, because after a man is on watch in  
8 the wheelhouse, standing in the wheelhouse, standing  
9 on the bridge of a ship -- the officers of the ship only  
10 stand for four hours and then they are relieved, but  
11 the pilot standing there, if he is asked to stand for  
12 12 hours, he cannot be rested after the 12 hours are  
13 over. So in order to supply a rested pilot at all times,  
14 we say that two pilots should be employed on all these  
15 jobs.

16 Q. Am I to understand, sir, that  
17 you would consider it both unwise and unsafe for the  
18 pilot to leave the bridge while negotiating this  
19 passage?

20 A. I don't think that any of our  
21 pilots leave the bridge when they are on these vessels.  
22 If they do, they are not doing their job.

23 Q. From this chart which is filed  
24 as Exhibit A1 to your brief on which you have indicated  
25 in blue ink the passage that you are referring to, I  
26 have seen very few, if at all, aids to navigation, such  
27 as lights and buoys. I know it is too deep for buoys  
28 there, but are there aids to navigation or lights?

29 A. There are enough aids to naviga-  
30 tion for a local man, a man who knows the run. There







1 are enough there for him now. We occasionally ask for  
2 an extra one put in here and there, but for the time being  
3 we figure for the pilots there is enough.

4 Q. But my question was, does this  
5 chart 3837, filed as Exhibit A1 to your brief, show all  
6 the aids to navigation which are in existence in that  
7 part of your district?

8 A. No, there are some lights that  
9 are not on this. This is a general chart. There are  
10 some lights not shown there, at Gale Island.

11 Q. What are these lights there? Are  
12 they leading lights, range lights?

13 A. No, no range lights. They are  
14 all flashing lights.

15 Q. I notice when you get to Gale  
16 Island you have to negotiate an alteration of course  
17 to starboard going up to Kitimat of about 90 degrees?

18 A. Yes.

19 Q. Do you have range lights to  
20 indicate when you should make that turn?

21 A. There are very few range lights  
22 on the British Columbia Coast.

23 MR. JACQUES: Would range lights help  
24 you to negotiate the bend?

25 THE WITNESS: No.

26 MR. JACQUES: Not this particular one?

27 THE WITNESS: No. Range lights would  
28 probably be good at some places.

29 Q. Do you have any lights ashore  
30 to indicate the heads of land?





1 A. No. The only lights we have here --  
2 there is a light here which we run up to.

3 Q. You are showing Ashdown Island?

4 A. Yes. And there is another island  
5 here and another one here. The only way we navigate  
6 that particular one is to go from one particular light,  
7 but we have nothing to indicate headlands, that we know.

8 Q. Now, you just mentioned that you  
9 are using headlands and shore lights to find out when  
10 you should make these abrupt changes of course, and this  
11 brings me to the second reason on Page 41 where you speak  
12 of poor visibility. How would you do that in poor  
13 visibility?

14 A. The visibility is -- if we can  
15 see the light as we come up to it, then we alter the  
16 course and alter to another course which we steered  
17 before, we know it is going to take her practically  
18 to the next light, and then we run our course and  
19 distance and then we probably pick up the next light  
20 which we again turn on to.

21 Q. So you go by that kind of reckoning,  
22 and in order to safely navigate your ship on that reck-  
23 oning you must have a very good knowledge of the local  
24 conditions as to currents and the effect of winds, and  
25 so on, on your ship?

26 A. Yes.

27 Q. So is it a fact that this requires  
28 a great deal of local knowledge?

29 A. That is right.

30 Q. Of local conditions?





1 A. That is right.

2 Q. Then the third reason you give on  
3 Page 41, in sub-paragraph (c) is the traffic, and you  
4 speak of reduction in speed. If you have to reduce speed,  
5 would that affect your calculation for that reckoning  
6 navigation?

7 A. Well, yes, but then we know  
8 the distance between the lights, and if we reduce speed  
9 we figure she is making three or four miles an hour,  
10 well then we have to apply that to our time of reaching  
11 the other point. It is just another problem of dead  
12 reckoning, but if a ship has to reduce speed, then the  
13 hours to get to the port is greater and that is why we  
14 say if the ship runs into bad weather on a voyage from  
15 McInnes Island to Kitimat, instead of being maybe eight  
16 or ten hours, it could go to fourteen, eighteen to  
17 twenty-four hours before she reaches Kitimat.

18 Q. Is it not a fact if you go by  
19 dead reckoning and you have figured your course and the  
20 time to be run in order to know when you will make the  
21 next alteration of course and you have to reduce speed,  
22 you would have to revise your whole calculation?

23 A. That is right.

24 Q. Not only as the time to be run  
25 but also as to the effect of the current on your ship?

26 A. That is right. All local con-  
27 ditions would have to be adjusted.

28 Q. Is it not a fact your set and  
29 drift would be affected by the speed of your ship also?

30 A. That is right.









1 Q. Now I come to your fourth reason  
2 which is (d) on Page 41 where you speak of insufficiency  
3 of water for a loaded vessel in the approach channel.  
4 Would you tell the Commission, sir, what do you mean  
5 exactly by that?

6 A. Well, if this vessel is en route  
7 to Kitimat and she is going to arrive there, she is  
8 drawing 31 feet of water and she is going to arrive there  
9 with the low tide and we have only got 24 feet of water  
10 over the bar there, then she has to stay out in the  
11 channel until there is sufficient water to bring her  
12 in, which again makes more hours of work on the trip.

13 Q. Are you prepared to say, sir,  
14 that this degree of insufficiency of water under your  
15 ship would be affected also by the speed at which your  
16 ship is going? I am referring, for example, to the  
17 possibility of squat?

18 A. Approaching the dock there the  
19 squat would be a little bit but not very much because  
20 approaching a dock there is not much speed.

21 Q. Slow speed?

22 A. Yes.

23 Q. Now I come to sub-paragraph (e)  
24 on Page 41 of Paragraph 11, and you say there is no  
25 suitable anchorage for an ocean-going vessel at Kitimat.  
26 Would you further elaborate on that, sir?

27 A. Well, on the channel up from  
28 McInnes Island to Kitimat there are very few places  
29 you can anchor. We have two anchorages there that we  
30 have at times used, Amelia anchorage and another anchorage





1 with an Indian name. There are only two anchorages on  
2 the way up there, and these anchorages are very poor  
3 anchorages.

4 As a matter of fact, one of them, it  
5 is dangerous to go in at night time. It is really a  
6 daylight entrance.

7 Q. Now, sir, in Paragraph 13 on Page  
8 41 you claim that when two pilots are used you should  
9 be allowed to charge double pilotage, and my question in  
10 this regard is this one: do you know of any other  
11 entrances where ship owners using two pilots have to  
12 pay only for one and a half, so to speak?

13 A. Well, I don't know, but I think  
14 if anybody employs two men they should pay for two men.

15 Q. Am I correct in assuming that it  
16 is your contention that you are subsidizing the shipping  
17 industry in supplying two men but being paid only for  
18 one and a half? Is that correct?

19 A. Well, yes, you can say that.

20 MR. JACQUES: You don't sound convinced.

21 THE WITNESS: I don't sound convinced  
22 because I don't know whether it is subsidizing shipping  
23 or it is big-heartedness on our part.

24 Q. Now we come, sir, to Page 42  
25 of your brief where you have described the conditions  
26 in the Ports of Prince Rupert and Watson Island?

27 A. Yes, sir.

28 Q. To be found on Pages 42, 43, 44  
29 and 45. Is this description, sir, of the conditions in  
30 these harbours complete or do you want to add to it?







1 A. No, to the best of my knowledge  
2 that is a complete description.

3 Q. This morning, sir, you were asked  
4 by Commissioner Smith a question regarding the pilotage  
5 dues and chargeable to a ship, a 5,000 ton ship from  
6 Vancouver to Prince Rupert.

7 Have you checked the figures which were  
8 given this morning, and would you please comment on same?

9 A. Well, this question when it was  
10 given, I did not quite follow some of it, but I think you  
11 were asking about charges going up on the inside passage  
12 to Prince Rupert.

13 COMMISSIONER SMITH: Yes.

14 THE WITNESS: And I did mention that the  
15 Second Narrows would not really be taken into consideration  
16 there because she would have to be outside of Van-  
17 couver, the First Narrows— there is no charge going  
18 through the First Narrows.

19 Anyhow, this trip that you are mention-  
20 ing, if she goes up the inside passage, she pays pilotage  
21 and a half, and has two pilots. However, the ship owner  
22 has the option of going up the outside; if she did that  
23 he would take one pilot to Prince Rupert, and when he got  
24 off Victoria the master would take over and take her  
25 up to Triple Islands and it would be 127 miles of  
26 charge for mileage off that, and one half pilotage for  
27 the other pilot would be off that so they have the  
28 option of going up outside or inside.

29 COMMISSIONER SMITH: I was taking the  
30 case where they actually did take two pilots.







1 THE WITNESS: Yes, but they don't have  
2 to do that.

3 COMMISSIONER SMITH: And figured it out.  
4 That is from Vancouver to Prince Rupert, inside passage.

5 THE WITNESS: The reason they do that  
6 and the reason they pay this extra money is because the  
7 ship will get there faster. Another thing is she avoids  
8 a lot of rough weather where she is liable to tumble  
9 down her cargo stowed between decks, and they take them  
10 up inside to avoid weather, and probably make a quicker  
11 trip.

12 COMMISSIONER SMITH: And that figure  
13 I quoted would be approximately correct, \$259.21?

14 MR. LANGLOIS: The figure, sir, if you  
15 don't take into account the Second Narrows, the figure  
16 should be \$736.71. That is using the inside passage.

17 Now, using the outside passage the  
18 basis of tonnage, draught and mileage and two days  
19 detention, the total would be only \$269.36. Do you  
20 want these figures? Outside tonnage, draught, mileage,  
21 \$196.76; two days detention, \$72.60 for a total of  
22 \$269.36 as compared to \$736.71.

23 COMMISSIONER SMITH: There is quite  
24 a spread there.

25 MR. LANGLOIS: Yes, but there is the  
26 option which the owner has. If he wants to save time he  
27 pays for it.

28 BY MR. LANGLOIS:

29 Q. Now, I come to Page 46 of your  
30 brief, Pages 46 and 47, inside passage. Have you got





1 anything to add to the description that you gave of the  
2 inside passage on these pages, sir?

3 A. No, not at this time.

4 Q. So am I to assume the description  
5 of the inside passage is quite complete and adequate?

6 A. Adequate, yes, sir.

7 Q. I come now to Page 48, pilot  
8 stations and pilot boats. Pages 48 and 49. Do you have,  
9 sir, anything to add to what you say in the seven  
10 paragraphs mentioned under this heading?

11 A. No, this is what we thought would  
12 be a proper description of these pilot stations and boats.

13 Q. Is it your contention, sir, that  
14 they have enough pilot stations?

15 A. Enough boarding stations.

16 Q. Enough boarding stations or pilot  
17 stations, yes?

18 A. Well, unfortunately the B. C.  
19 pilots never made this coastline, and it would be very  
20 hard to put boarding stations any other place than what  
21 they are to-day. We couldn't get to them, and if we  
22 did get to them we probably couldn't get out to the  
23 ships off other boarding stations.

24 I do not think at this time there is any  
25 call for any other additional boarding stations. I  
26 think they would cost too much money for the services  
27 that they would be helping.

28 Q. Am I to understand that your  
29 main objection to additional boarding stations would be  
30 the lack of communications?







1 A. No, it is not. It is not suitable  
2 to board at some of these places.

3 Q. In what way, sir?

4 A. Well, if you had a boat stationed  
5 somewhere out on the west coast, north coast of Vancouver  
6 Island, how are you going to get out? Where are you going  
7 to board the ship? You can't go out in the middle of  
8 the ocean and board ships. In most of the weather we get  
9 up in that north end of Vancouver Island..

10 Q. You are referring to unsheltered  
11 waters?

12 A. Unsheltered open waters, yes.

13 Q. Are there any land or water  
14 communications between the north end of Vancouver Island  
15 and Vancouver or Victoria?

16 A. Fairly good air service to  
17 Port Hardy, and we do disembark or board off ships off  
18 Port Hardy and get into Port Hardy, but that is the only  
19 place that has really no communications as far as  
20 travelling is concerned.

21 Q. But unless my geography is all  
22 wrong Port Hardy is quite a piece from the northern tip  
23 of Vancouver Island?

24 A. Yes, it is quite a piece, but then  
25 if you go to the northern tip of Vancouver, you have no  
26 sheltered waters for boarding.

27 Q. Now, what about pilot boats? Are  
28 you satisfied with the pilot boats that you have in the  
29 district?

30 A. Well, we are satisfied. We have







1 three boats in Victoria, two of them are satisfactory  
2 for that station and the other one is getting old and  
3 will have to be replaced sooner or later, but at Victoria  
4 we would say yes, we are satisfied.

5 At Port Alberni it is a private boat  
6 that services there. We have just talked the owner of  
7 that boat into getting a new boat. It is not a boat  
8 you can go outside of Cape Beale on; only just in very  
9 good weather, but the accommodation on the boat is much  
10 better than the older one, and she is just as good  
11 a sea boat as the older one. The owner has spent a con-  
12 siderable amount of money on her to get her in shape  
13 and get her fixed up and get a little more speed. The  
14 other one would make about 7 miles an hour, and this one  
15 here we figure will do probably 10 or 11.

16 We have to ride 35 miles on that boat  
17 from Port Alberni to Cape Beale; sometimes we are 7 hours  
18 on the pilot boat before we can climb the ladder to get  
19 the boat bound for Kitimat or Port Alberni, but with  
20 this new boat we figure 5 hours, 5 or 6 hours on the boat  
21 will be sufficient.

22 At Prince Rupert we have boats that  
23 are old tubs, and sooner or later somebody is going to  
24 get drowned. We say this not as a threat, but we know  
25 as long as we carry on with those boats this is going to  
26 happen and we shouldn't be going out on those boats.

27 Q. Now I come, sir, to Page 50.  
28 Under the heading of administration and supervision you  
29 have four paragraphs there. Am I to understand that  
30 the recommendatio you are making under this heading in





1 regard to boards of pilotage or pilotage boards in  
2 Ottawa represent the general consensus of opinion of  
3 your pilots here on the west coast?

4 A. Yes.

5 Q. Does the same apply to your  
6 recommendation in regard to the appointment of a district  
7 supervisor and an assistant district supervisor of  
8 pilotage for the west coast?

9 A. Yes.

10 Q. Do you have anything further to  
11 add under this heading of administration and supervision?

12 A. Well, I would say that I think  
13 if you had a pilotage board -- it would all depend on  
14 how it was operated probably, but I think it would be  
15 better. Most of our administration and most of our  
16 difficulty with administration, we have to go to Ottawa  
17 to find out about it and to see what they are doing,  
18 and a lot of times when we go to Ottawa we don't know  
19 who to go to to get the answers to our questions.  
20 We have travelled quite a few miles to get there. We  
21 don't think it is a proper setup the way it is now.

22 There are too many people mixed up in  
23 pilotage, and several people mixed up in pilotage and  
24 other matters so that they have two or three jobs to do  
25 and they can't spend the proper time talking to the  
26 pilots.

27 Q. Then you feel many of your local  
28 problems could be settled here?

29 A. That is another thing. Many of  
30 our local problems should be settled in Vancouver here







1 without having to go to Ottawa.

2 Q. Am I to understand that you feel  
3 that the local officials of the Department of Transport  
4 have better knowledge of the local conditions?

5 A. That is right.

6 Q. And can give --

7 A. And we are in touch with them and  
8 we can go and talk with them, and as a rule we usually  
9 can find a solution to it right here in Vancouver. How-  
10 ever, sometimes we are stopped from finding solutions  
11 because we have to send to Ottawa for a decision.

12 Q. Is that also a matter of urgency  
13 in regard to decisions, involved in your decision to  
14 give more authority to local officials of the Department  
15 of Transport? Is it a matter of urgency?

16 A. It could be.

17 Q. You want to get quick decisions?

18 A. Sometimes we have to have them.

19 Q. Now I come to Pages 51, 52 and  
20 53 of your brief. In Paragraphs 1 and 2 you gave figures  
21 on the increase in the volume of traffic, as well as  
22 the increase in the number of jobs performed by your  
23 pilots. What was your source for these figures?

24 A. The figures that we have got  
25 here were derived from these tables that were put out  
26 by the Department, and also by our own reports. We  
27 keep track of all these jobs, the Committee does, and  
28 that was part of the source. The rest of the source  
29 was out of these tables that are put out by the  
30 Department of Transport in Vancouver.







1 Q The information that you obtain  
2 from the District Superintendent of Pilotage. Is that  
3 so?

4 A. Yes.

5 Q. When you mention at the end of  
6 Paragraph 2 that during the period referred to, that is  
7 the period between 1948 and 1952, that there has been  
8 a steady rise in professional fees and working conditions  
9 connected with the waterfront, can you further elaborate  
10 on that sir?

11 A. Well, only to say that there has  
12 been increases in most of the, I would say marine  
13 workers, or practically everybody I imagine has had  
14 increases in the last few years on the waterfront. We  
15 never went into how much they got, what percentage  
16 increase they got, but we know that they have had  
17 increases.

18 Q. Now, in Paragraphs 3, 4 and 5,  
19 you speak of the earnings of pilots in relation to the  
20 number of jobs or volume of work, done by pilots. Would  
21 you say, sir, that in order to earn their present  
22 earnings that your pilots have to give the best of  
23 themselves, and give a top notch performance?

24 A. Yes sir. Our pilots right to-day  
25 they are working as hard as they can possibly work  
26 without having troubles because of fatigue, because a  
27 pilot when he goes on a job should be a rested man, but  
28 the way they have been working here lately there is lots  
29 of times they go out without the rest.

30 Q. I have been informed, sir, that





1 reference has been made, and quite frequently, to wages  
2 earned by tug boat masters in discussions having to do  
3 with the earnings of pilots.

4 Would you be able to tell the Commission  
5 briefly under what conditions do tug boat masters work  
6 on this coast, as compared to pilots?

7 A. Well, the tug boat masters on any  
8 size of tug boats, they have what they call a 15 and  
9 15. They work 15 days and get 15 days off. In other  
10 words, for every day they get another day off.

11 Q. With pay?

12 A. With pay, but they do work six  
13 hour watches when they are working, but for every day  
14 that they are on the job they get one day off with pay.  
15 In other words, every month they work they get paid  
16 two months.

17 Q. So am I right in interpreting  
18 your testimony in this way, that tug boat masters work  
19 twelve hours a day when they do work?

20 A. That is right.

21 Q. And that they work only six months  
22 in a year, and they are paid on the basis of twelve  
23 months?

24 A. That is right.

25 MR. JACQUES: Could I interrupt to ask  
26 my friend if he has an intention of calling a tug boat  
27 master to support this evidence?

28 MR. LANGLOIS: Well, I think a labour  
29 man would be a better witness.

30 MR. JACQUES: A labour man?







1 MR. LANGLOIS: A trade union man.

2 THE WITNESS: I could supply you with a  
3 tug boat agreement if you want to see it.

4 MR. LANGLOIS: Would that be satisfactory  
5 to you, to have a tug boat agreement in the record?

6 MR. JACQUES: If you would have somebody  
7 from their union to come up and give evidence on that  
8 point, and give the whole picture.

9 MR. LANGLOIS: I ask you to subpoena  
10 one right away.

11 MR. JACQUES: Is that a serious request?

12 MR. LANGLOIS: Sure. If the Commission  
13 is not prepared to accept the filing of a tug boat  
14 agreement, we are quite in agreement to have --

15 THE CHAIRMAN: Let us say that the  
16 Commission is going to look over one of these agreements,  
17 and if we are satisfied with that, all right, you can  
18 file it. If not, we will see what evidence you have  
19 to offer.

20 THE WITNESS: I am the Pilots' rep-  
21 resentative from the Guild Board of Management, and the  
22 Guild Board of Management is the one that passes on  
23 all these agreements, so when I say this I know that  
24 we have all these agreements, and if anybody wants them  
25 we can get them.

26 MR. JACQUES: Very well my lord.

27 MR. LANGLOIS: I just wanted to point  
28 out that the Guild also represents masters and mates  
29 and Captain Gosse can testify as to that.

30 THE CHAIRMAN: Yes, we can see that.







1 BY MR. LANGLOIS:

2 Q. Now I come, sir, to Paragraph 6,  
3 on Page 52 of your brief, where you give some figures in  
4 regard to net tonnage handled by B. C. coast pilots.  
5 Would you give the Commission your source of information  
6 in regard to this?

7 A. Yes, that is also from the  
8 Department's figures. It is not our own figures.

9 Q. In Paragraph 7, and in other  
10 paragraphs, you make mention of jobs. Would you tell the  
11 Commission what you mean exactly by the term job?

12 A. Well, on this coast we have these  
13 various jobs. When I say jobs, they are really tours  
14 of duty, but we have a case where you might get a job  
15 to-day, which would be to shift a ship in Vancouver  
16 Harbour. That is called a job, but also you might get  
17 a job to take a ship from here to Crofton or Chemainus,  
18 and if you leave here at night time you usually dock  
19 at seven o'clock in the morning. If you leave early  
20 enough, you might be able to dock that night, but anyhow  
21 that will take twenty-four hours to complete that job  
22 and get back home. You can also get a job that will  
23 take you away for a week at a time, or maybe three or  
24 four days. All the jobs are different, but all the pilots  
25 work on a system of despatch where they work on a  
26 rotation list. They are on two rotation lists. One  
27 for the local jobs, which we call south of fifty, and  
28 they are also on a rotation for long jobs, which are  
29 north of fifty, on the west coast of Vancouver Island.  
30 Each pilot gets a long job about once a month, or once





1 in five weeks, and the local jobs they do about anywhere  
2 from 16 to 18 a month.

3 Q. Now sir I come to Paragraph 8,  
4 on Page 52, where you speak of the very small degree  
5 of accidents in your district. Would you tell the  
6 Commission please what you mean by that, when you speak  
7 of the small degree of accidents?

8 A. Well, I think probably the  
9 Superintendent of Pilots can give you better information.  
10 That is, you might want to listen to him on this thing.  
11 But I was speaking to him, and he told me that the degree  
12 of accidents of the pilotage districts of Canada was  
13 one-half of one percent, and the ratio of accidents in  
14 the B. C. Coast was one-quarter of one percent. Captain  
15 Eddie I think would have to substantiate those figures.  
16 I think that is right.

17 Q. Now sir, as for Paragraphs 9 and  
18 10, you partly dealt with that this morning. Do you  
19 have anything further to add as to the size of vessels  
20 now using your ports, particularly the port of Vancouver  
21 and the other ports in your district?

22 Q. Well, what is in this paragraph  
23 pretty well looks after it as far as I can see.

24 COMMISSIONER SMITH: Mr. Langlois, do  
25 you mind my interrupting?

26 MR. LANGLOIS: Go ahead sir.

27 COMMISSIONER SMITH: There are a lot,  
28 I don't know how many of ships coming here with the  
29 bridge aft, and obviously it is more difficult to  
30 operate them than with the bridge amidships or forward.







1 Have you got anything to say about the piloting of these  
2 ships, as to increased difficulties in vision, or es-  
3 timating distances, or in any other way?

4 A. Yes, there is a difficulty, but  
5 you know, fortunately we have had very little trouble  
6 as far as handling. We have not, I don't think it has  
7 made any difference in our accident rate or anything  
8 else. The only thing we do have to do is probably we  
9 have to have more tugs sometimes to handle it, because  
10 if you have only got one tug or two tugs, you have got  
11 the whole bow swinging by itself, so if they allow  
12 us to have more tugs we handle them pretty satisfactorily.  
13 We don't have too much difficulty. Sometimes we have  
14 to have an extra tug for them, but outside of that  
15 we don't have too much trouble. There is the extra  
16 risk, but I guess eventually we will get used to them.

17 COMMISSIONER SMITH: What I intended  
18 to speak about was docking and undocking these ships.

19 THE WITNESS: That is what I was  
20 talking about.

21 COMMISSIONER SMITH: There is no  
22 difficulty otherwise?

23 THE WITNESS: Otherwise?

24 COMMISSIONER SMITH: Yes?

25 THE WITNESS: Well, there is just the  
26 thing that you are set back from the bow, and in foggy  
27 weather of course you can't see much anyhow, but you  
28 have always got to remember that you have got that long,  
29 probably four or five hundred feet, ahead of you.

30 Q. Now I come, sir, to paragraphs







1 11 and 12, on Page 53. You give in Paragraph 11  
2 statistics of the Port of Vancouver in 1961 for dry  
3 cargo. Would you mind giving the source of your inform-  
4 ation?

5 A. Well, the source of my information  
6 on that was really out of a newspaper clipping, but it  
7 was supposed to have been given by I think the Chamber  
8 of Shipping in Vancouver. It could not be correct, but  
9 that was what was said in the paper, that we had four  
10 times as many ships as any United States West Coast  
11 Port.

12 Q. So, in Paragraph 12, I take it,  
13 that you are quite happy with the present setup, the  
14 present situation, and you think it would be a grave  
15 mistake to change it, is that correct?

16 A. Well, outside of the suggestion  
17 that we make about the pilotage board, I think that  
18 the pilots in British Columbia here, the way we have  
19 been operating, I don't think any other form, either  
20 by salaries, or by civil service, or by anything else,  
21 I think that if they did anything like that I think it  
22 would just disrupt the whole organization. That is my  
23 opinion. I think the way it is going now we are able  
24 to work harder and make more money is an incentive to  
25 keep pilots on the job, and to keep the cost of pilotage  
26 down.

27 THE CHAIRMAN: We will recess now  
28 for a few minutes.

29  
30 ---A short recess.





1 Q. Captain, I now come to Page 54,  
2 pilots' expenses, and in Paragraph 2 you give some figures  
3 as to the individual earnings for pilots for the  
4 years 1960, 1961 and 1962. Would you mind, sir, giving  
5 the Commission your source of information for these  
6 figures?

7 A. Yes. The source of information is  
8 taken from these tables compiled by the Department of  
9 Transport.

10 Q. The Superintendent of Pilotage?

11 A. Well, from his office, yes.

12 Q. When you give these figures as  
13 individual earnings, is that gross earnings or net  
14 earnings?

15 A. That is the earnings that show  
16 on our income tax form, our T-2 form, and that is the  
17 earnings that we collect income tax on and, as I under-  
18 stand it, this is our earnings.

19 Q. Would these earnings from which  
20 are deducted your expenses include the earnings derived  
21 from your duties outside of your district?

22 A. This includes the extra earnings  
23 we have for jobs outside of our district. That is in-  
24 cluded in this figure.

25 Q. Leaving the balance of this  
26 chapter aside for a moment and going to Page 56 of the  
27 brief, in Paragraph 10, the last paragraph, you give  
28 there figures as being earnings derived from pilotage  
29 dues alone for 1962 as being \$12,454.00. This last  
30 figure has the deduction of monies earned outside of







1 your district; is that right?

2 A. That is the figure when we deduct  
3 the money for the extra services which we perform.  
4 That reduces it to this figure.

5 Q. Now, in Paragraph 3 on Page 54  
6 you make mention of bus, ferry, plane and hotel expenses,  
7 and you mention that these expenses have increased  
8 greatly in the past few years. You give one example  
9 there of the plane fare from Victoria to Vancouver  
10 which has increased in 1960 from \$5.00 to \$8.00 to-day.  
11 Are you prepared to say if this represents the average  
12 increase of your travelling expenses over these years?

13 A. Well, this may be a little more  
14 than average, but the plane service was used quite  
15 a lot by our pilots before 1960, and we used to pay  
16 \$5.00 for the fare. Now we have to pay \$8.00 if we  
17 use this service again. But in the meantime we have been  
18 using the ferry services, and they have gone up. Well,  
19 from Vancouver to Nanaimo it has gone up from \$2.00 to  
20 \$2.95, I think it is.

21 Q. And here, sir, am I correct in  
22 interpreting this paragraph as referring only to those  
23 expenses which are borne entirely by the pilots?

24 A. Yes. The expenses in this lower  
25 district, in what we could term the Gulf District,  
26 the expenses for our travelling in that district are  
27 paid by the pilots and it is taken out of the pilotage  
28 dues, where in the northern district, in the west coast  
29 district, we get paid expenses over and above the  
30 pilotage dues.







1 Q. And then in paragraph 4, my  
2 interpretation of your recommendation there is that  
3 these expenses which are actually borne by the pilots  
4 in the southern portion of your district should now  
5 be borne by the shipping industry; is that right?

6 A. That is right.

7 Q. And Paragraph 5 you make a com-  
8 parison between earnings of masters and pilots. When  
9 you refer to earnings of masters, do you take into con-  
10 sideration all the fringe benefits derived from their  
11 working agreement with the ship owners, or are there  
12 such fringe benefits given to masters?

13 A. Which paragraph is that?

14 Q. In Paragraph 5, You don't make  
15 this comparison as to earnings, but you mention that the  
16 pilots have all at one time been in command of vessels;  
17 and further on, prior to that in your brief you have  
18 referred to tugboat masters' earnings, and my question  
19 is, are these tugboat masters or coastal ship masters  
20 getting fringe benefits besides their basic wages?

21 A. Yes, they are. But that is not  
22 the reason this was put in here. The reason this was  
23 put in here, when I say they were masters of ships, and  
24 revenue earners, what I meant was that they were working  
25 for a company and their job depended on whether the  
26 ship made money or lost money, and the trading in that  
27 way has taught us that if we can make money by doing  
28 jobs outside of our district and it doesn't interfere  
29 with anything, we should be allowed to do it, and that  
30 is why we do it, because if we were not masters of ships





1 and had not the responsibility, we would not have that  
2 in that sense. That is the reason we put that in there.

3 Q. I realize now that I have put  
4 my question wrongly, but I wish to come back to what you  
5 said earlier regarding wages and earnings of masters,  
6 for example, in the tug-boat industry. I understand we  
7 will come to these agreements at a later stage, but  
8 can you say now from your personal knowledge what fringe  
9 benefits are added to the wages earned by tug-boat  
10 masters nowadays on the west coast? Would you know  
11 that?

12 A. The greatest benefit they have  
13 is their leave conditions. I would think that would  
14 probably be the greatest benefit they have. But we have  
15 an example, a much better example of the cost of a  
16 master, supply of a master on a vessel. If we take  
17 the Princess of Vancouver which runs to Nanaimo, most  
18 of the time they have three masters attached to that  
19 vessel, and the master's approximate wages on that  
20 vessell -- I just don't know the exact figure, but it  
21 runs probably to \$700.00 or \$800.00 a month per master,  
22 and they have three masters on that vessel. One master  
23 works one day and he is off two days and he comes back  
24 and the third day he works again. He works 24 hours  
25 a day on the ship, but his duties are to take the ship  
26 into Nanaimo Harbour, which happens every two and three-  
27 quarter hours. But to operate that ship, to keep a  
28 master on that ship continuously -- and, besides, these  
29 three masters have to have leave -- usually it takes  
30 almost four masters to operate that ship twenty-four







1 hours a day, and if you take four times \$800.00, that  
2 is what it cost to operate the Princess of Vancouver.

3 Q. In addition to that do they have  
4 such fringe benefits as health plan or pension plan to  
5 which the employer is contributing?

6 A. Yes, sir.

7 Q. That is in addition to the wages  
8 you have mentioned?

9 A. Yes.

10 Q. Now I come to Paragraphs 6,7  
11 and 8 of Page 55, which I think can be taken together.  
12 You mention in these paragraphs of possible fluctuation  
13 in the volume of shipping. Isn't it a fact, sir, that  
14 the pattern of shipping here on the west coast has  
15 changed tremendously in recent years due to the fact  
16 that ships are now sent to the basic or primary sources  
17 of supply for ore, lumber, and so on?

18 A. That is right.

19 Q. Is it not the reason that a  
20 certain volume of traffic has developed in the northern  
21 portion of your district?

22 A. That is correct.

23 Q. Is it not also a fact that by  
24 sending these large and modern vessels up to these out-  
25 lying ports to get basic materials the industry is  
26 saving quite a lot in transportation costs?

27 A. Oh, yes. If they had to ship  
28 it down to Vancouver it would cost them very many more  
29 times than it would cost for the pilotage dues.

30 Q. Do you have anything to add, sir,







1 to what you say in these paragraphs that I have just  
2 mentioned, on Page 55?

3 A. No, sir, I don't think at this  
4 time I should add anything.

5 Q. If I understand your position, it  
6 is that you are opposed to arbitrarily fixed pilotage  
7 dues, arbitrarily fixed or put a ceiling on your pilotage  
8 dues?

9 A. Oh, yes.

10 Q. For the reason that you have  
11 no guarantee of the volume of work which you are to get  
12 from year to year. Is that a correct interpretation  
13 of your contention?

14 A. Well, we try to judge, but, you  
15 know, it is pretty hard to judge things. For instance,  
16 as we mention here, the wheat to Red China, how long  
17 will that go on? And the iron ore to Japan? Maybe by  
18 that time there will be something else, but we don't  
19 know that. But we try to the best of our ability to  
20 keep enough pilots so that we can maintain a good  
21 service for these ships. But we are liable to get  
22 stuck in the end if this traffic falls off.

23 Q. Am I right in interpreting your  
24 position as being that you are ready to take the good  
25 and the bad years as they come?

26 A. Yes. We have done that for a long  
27 time.

28 Q. Is it not a fact also that if  
29 you want to take full advantage of the full years you  
30 have to work harder?





1 A. That is right.

2 Q. Now I come, sir, to Page 57,  
3 pilotage dues, Paragraphs 1 to 4. I see that part of  
4 what you say there has already been covered by your  
5 evidence given both this morning and this afternoon,  
6 and I will go to paragraph 4, where your first recommen-  
7 dation is that a charge should be made on the maximum  
8 gross tonnage as sizeable ships pay only a small tonnage  
9 charge if they can claim an open shelter deck. Would  
10 you mind explaining to the Commission what you mean by  
11 an open shelter deck?

12 A. Well, we have ships, there are  
13 some ships built open shelter deck, and there are other  
14 ships that can be converted to an open shelter deck just  
15 by removing a plate off the deck or opening a door inside  
16 the vessel. As far as the pilots are concerned, we  
17 maintain that in doing that kind of thing we are handling  
18 the same kind of ship as we were before, we are  
19 handling the same tonnage and not any false tonnage  
20 by doing this.

21 Q. Is it not a fact that you have  
22 some of these ships which are not even registered, with  
23 Lloyds, for example, as open shelter deck ships but  
24 still use it as -- I don't want to be too hard here -- a  
25 device, or whatever you call it, to escape paying pilotage  
26 dues and sometimes port dues?

27 A. Yes, I guess they also escape  
28 port dues. But what we maintain is that we are handling  
29 the same identical ship whether she is open shelter deck  
30 or closed shelter deck. Whether they take a plate off





1 or put it back on again, to us it is exactly the same  
2 kind of ship.

3 Q. The same ship, with the same  
4 draught and the same length?

5 A. Yes, and the same power, and  
6 so on.

7 Q. And the same faults, if she has  
8 any?

9 A. Yes.

10 Q. What would be your solution to  
11 this problem?

12 A. The solution to the problem would  
13 be a very simple one, by adding on our tonnage charge  
14 on these ships the maximum gross tonnage of this vessel,  
15 of any vessel. We can still keep the gross, but if  
16 there is the maximum gross tonnage of the vessel on  
17 which they should pay at all times.

18 Q. And is that irrespective of the  
19 fact that the ship is registered or not as an open  
20 shelter deck ship?

21 A. The open shelter deck ship,  
22 registered as an open shelter deck ship, we say the  
23 tonnage given to her as an open deck shelter ship should  
24 stand. It is only the ones that change it.

25 Q. Would you mind telling the  
26 Commission what nationality or what flag ships are using  
27 to escape from paying pilotage dues?

28 A. Well, there are several, probably  
29 several nationalities, but the worst offender we have  
30 are the Danish ships that come in here. We bring them









1 in as probably 8,000 tons and we take them out as  
2 4,000 tons, and there is nothing altered except the  
3 removal of a hatch or something.

4 Q. They are Danish ships?

5 A. Yes.

6 Q. Are there ships of any other  
7 nationality or flag doing that?

8 A. Yes, there are other ships doing  
9 it, too.

10 Q. Now, you have a second change  
11 about movage charges. Would you further elaborate on  
12 what you have in mind?

13 A. Well, as far as the upward  
14 revision of movage charges, we made a submission last  
15 year to the Chamber of Shipping asking for an upward  
16 revision in the movage charge, and we think we are  
17 entitled to it. The ships are now getting larger, and  
18 as we spoke of before, everything aft ships, and we  
19 think it is a more difficult task shifting these ships,  
20 and we think the rates for shifting the ships should be  
21 increased. The Chamber of Shipping did not see eye  
22 to eye with us, but their excuse was that seeing as this  
23 rate was included in the changeover of rates, they did  
24 not think they could do anything about it at this time  
25 and the changeover of rates which was five or six years  
26 ago has to stand.

27 Q. Now, you have two other changes  
28 (c) and (d) which have already been dealt with this  
29 morning and this afternoon, and unless you have something  
30 to add, I leave it at that?





1 A. No, that is it.

2 Q. Now, on Page 58, pension fund.  
3 Would you, sir, briefly explain to the Commission how  
4 your pension fund is being administered to-day?

5 A. The pension fund as of to-day is  
6 being administered by the Department of Transport, I  
7 think the Department of Finance through the Department  
8 of Transport. They have the money and they have bought  
9 bonds with the money that is in there. Some of our  
10 bonds are very poor investments I think. We had no say  
11 in what bonds they buy. They buy the bonds for us,  
12 and then we take what interest -- that is put into the  
13 pension fund.

14 I would have to check on the dates,  
15 but up until about five years ago there was no guarantee  
16 that a pilot would get any money out of the pension fund  
17 anyhow because if a man and his wife or if a man without  
18 any dependents would have died in service up until five  
19 years ago when we changed this thing over, all this  
20 money that was contributed to the pension fund on his  
21 behalf would be left in the pension fund and nobody would  
22 get anything but the future pilots.

23 Q. Am I to understand there is no  
24 assistance of contribution from either the shipping  
25 industry --

26 A. The total of the pension fund  
27 money is derived from the 10 per cent of the gross  
28 earnings of the district.

29 Q. Now, you mentioned a proposed  
30 change, a proposed plan in your pension fund administra-





tion. I have here, sir, a comparative summary of the existing pension plan and the proposed pension plan which I would ask you to file as Exhibit 85 for the better understanding of what you mean by the proposed plan in your brief to the Commission?

A. On this side of the sheet --

Q. That is on the left hand side?

A. On the left hand side of the sheet is what the existing plan gives us. On this side of the sheet is the proposed plan that we can establish through a trust company operating the pension fund. Over the page the same thing, the existing plan on the left hand side, and on the right hand side is the proposed plan.

I might say we have counted some ballots -- we had a ballot on this whether to change over or not, and the ballot was considerably in favour of changing over. The total ballots are not in yet.

Q. This is a ballot taken from your membership?

A. That is right.

---EXHIBIT NO. 85: Comparative summary of existing pension plan and proposed pension plan.

Q. This concludes your brief, sir. Do you have anything to add to what has been said so far?

A. No, sir. I think we have said enough in the brief.

MR. LANGLOIS: Your witness, Mr. Jacques.









1 BY COMMISSIONER SMITH:

2 Q. If your lordship pleases I wonder  
3 if I could ask this witness a few questions. On the  
4 question of the pension scheme or plan I have some  
5 difficulty in getting the fog out of the wide open spaces  
6 in my mind as to how much pension a pilot gets for  
7 we will say ten or fifteen or twenty years of service.  
8 I know it is going to be difficult because there is  
9 no regularity of income although the 10 per cent is  
10 permanent and regular, but can you give any illustrations?

11 A. Mr. Commissioner, that thing that  
12 was filed, I will show you what I mean. On this side  
13 you will see here on the left hand side --

14 Q. That is in the bylaws?

15 A. Yes. It says \$100.00 for every  
16 year of service prior to March 31, 1950. I joined the  
17 pilots in 1937, so from 1937 to 1950 I would get under  
18 this plan \$100.00 for every year's service annually.

19 From April 1st, 1950 to March 31, 1957,  
20 \$110.00 and \$120.00 during the period from April 1st  
21 1957 to December 31, 1960, and that is when our plan  
22 becomes solvent as to these benefits. This still is  
23 10 per cent going in. That varies with the amount, of  
24 course. Then for each year after that it works on  
25 the amount of money going in, which they figure would  
26 be \$244.00 for every year's service, but that can  
27 fluctuate, of course, every year.

28 To figure out my pension up to 1960  
29 it is very simple because you take \$100.00 to there,  
30 and \$110.00 for these years.





1 Q. Let me ask you this question,  
2 and don't answer it unless you want to: if you were  
3 to retire to-day what would your pension amount to?

4 A. On this plan?

5 Q. Yes?

6 A. Well, I will just say approximately.

7 Q. Don't answer unless you want to?

8 A. That is fine. As a matter of fact,  
9 I am not very proud of it, but I think it would be  
10 around \$200.00 a month.

11 Q. What would it be under the pro-  
12 posed scheme?

13 A. Probably \$300.00.

14 Q. An increase of \$100.00?

15 A. Per month.

16 MR. LANGLOIS: My lord and Mr. Smith,  
17 I think if you will allow me to put in Exhibit 86,  
18 payments pilots pension fund from 1962 for the district  
19 which shows all those on pension with the amount each  
20 is getting, including the widows of course.

21 THE WITNESS: Perhaps I made a poor  
22 guess. This is presently on pension.

23 MR. LANGLOIS: You will file that as  
24 Exhibit 86, payments pilots pension fund for theyear  
25 1962.

26 ---EXHIBIT NO. 86: Yearly payments pilots pension  
27 fund, 1962.

28  
29 BY COMMISSIONER SMITH:

30 Q. Now, Captain, as his lordship





1 mentioned in his opening remarks we are here to get the  
2 facts.

3 A. Yes, sir.

4 Q. And that is what we would certainly  
5 like to do. The statement made by you this morning that  
6 you thought you could better deal with the local problems  
7 here rather than having them sent down to Ottawa?

8 A. Yes.

9 Q. That is correct, is it not?

10 A. Yes, sir, that is right.

11 Q. Could you give us an illustration  
12 of what those local problems are?

13 A. Well, as a matter of fact some  
14 of them are to do with the charges. Some are to do  
15 with probably leave. We had a thing happen here the  
16 other day. Ever since I have been in the pilotage  
17 service which is twenty-six years, we have been sending  
18 E.T.A. from the Victoria Station out to the ships coming  
19 in, asking them to send their E.T.A. before the arrival  
20 at the boarding station. It has worked very good. It  
21 cost about forty cents to send the message out, but  
22 it is sent out through the Department of Transport radio.

23 Then when the ship gets this message,  
24 the ship sends a message back which costs them probably  
25 forty or sixty cents, so the Department gets their  
26 money back.

27 Anyhow it was done I think as a money-  
28 saving device -- what they call this austerity programme  
29 business -- and it was done from Ottawa. It was not  
30 done from the local pilotage. They just sent word out









1 this was to be discontinued immediately, and immediately  
2 it caused a lot of disruption in the service.

3 If a little thing like that could be  
4 settled by the local authority, which it should be in  
5 my estimation, that would never have happened.

6 We also have other things: the collec-  
7 tion of dues. We had a situation now that I mentioned  
8 about, this money that we derive from outside the  
9 district. Last time I was in Ottawa I asked them if  
10 they couldn't take this out of the bylaw because they  
11 can't put in charges outside the district. I said  
12 can you give the local Superintendent -- which he has  
13 to have -- permission to collect these dues. They said  
14 no we can't give him permission to collect the dues,  
15 and after a little bit of talk they said we can give  
16 him permission to receive the dues.

17 To us we did not see what the change  
18 was, but there is a reason probably. These little things,  
19 you see, we have to go all the way back to Ottawa to  
20 find out these things.

21 Q. They are mostly small trivial  
22 matters?

23 A. Well, little local problems. I  
24 don't mean anything on pilotage in general, but local  
25 problems I think should be settled right here in Van-  
26 couver, and I think that is the way they are supposed  
27 to be settled.

28 Q. Now, Captain, it has been suggested  
29 to the Commission that it might be to the advantage  
30 of the District of Prince Rupert and the northern shore





1 area to have a pilot stationed at Prince Rupert. What  
2 are your viewson that?

3 A. Well, we have had - as a matter  
4 of fact I think Mr. Jones, Captain Jones, came out here  
5 from Ottawa and he went to Rupert about this and I think  
6 the Superintendent went with him, and as far as the  
7 pilots were concerned, I was out in Prince Rupert on  
8 a trip one time and one of the gentlemen up theretook  
9 me to a Board of Trade meeting and they put me on the  
10 spot and asked me the same question.

11 I told them if there was enough  
12 business in Prince Rupert to put a pilot up there, we  
13 would be only too pleased to put him up there. To  
14 this date we figure there is not enough business in  
15 Prince Rupert to warant having a pilot stationed up  
16 there. Even went to the point of telling them that if  
17 they are willing to make this man's wages up to a  
18 certain amount we would still put him in, but we can't  
19 put a man in there who is not making his keep.

20 Q. There has been a suggestion there  
21 is likely to be 50 per cent or 60 per cent increase  
22 in business there?

23 A. Well, that is a guess, but if it  
24 goes up, if the business warrants it - as far as the  
25 pilot is concerned we would be glad to put him up there.  
26 We offered the Aluminum Company to go in there, and  
27 the Aluminum Company refused to run their ships up  
28 that far. We said instead of going up the Laredo Channel,  
29 go up to Triple Islands and we will have a pilot  
30







1 stationed at Prince Rupert to handle the ships, but  
2 the Aluminum Company said that is 300 miles more steaming,  
3 and we won't do it.

4 Q. It gets down to a question of  
5 geography. Now there is another thing, Captain. You  
6 mentioned and I am not sure whether I heard you correctly  
7 or not, but there was some very poor pilot boat hired  
8 there?

9 A. Yes.

10 Q. What is it, \$60.00?

11 A. No, they charge \$120.00 but the  
12 Department pays \$60.00.

13 Q. The Government pays \$60.00 and  
14 the ship owners pay the other \$60.00?

15 A. Yes.

16 Q. You mentioned that was not  
17 safe in your opinion and that you thought perhaps a  
18 disaster might happen?

19 A. That is right. We are very much  
20 afraid of it. We have lost one of our pilots out on  
21 the west coast of Vancouver Island by getting off a  
22 small boat. The boat was sunk and we lost another pilot  
23 off Port Alice, Quatsino Sound. We lost the pilot boat;  
24 the pilot hadn't got off the ladder when she broke down,  
25 and the two men were drowned on the boat.

26 We do not consider these boats in  
27 Prince Rupert are safe, although by the inspection  
28 service they are licensed to carry pilots, but pilots  
29 only. I don't know whether a pilot is cheaper than  
30 a passenger, but they let them carry pilots and won't







1 let them carry passengers.

2 COMMISSIONER SMITH: That is all, my  
3 lord, that I have to ask this witness.

4 ----

5 CROSS-EXAMINATION BY MR. J. I. BIRD

6 Q. Captain Gosse, with respect to  
7 what you had to say about the pension fund, what is the  
8 capital of the fund now?

9 A. The amount of money in the fund?

10 Q. Yes, roughly?

11 A. Have you got the file there? It  
12 is one million -- I think it is one million and maybe  
13 two hundred thousand to date.

14 Q. About \$1,200,000.00? That fund  
15 is being increased by roughly \$125,000.00 a year by  
16 pension fund contributions, is it?

17 A. Well, there again --

18 A. I am reading from the 1962 --

19 A. The Department of Transport could  
20 submit a statement of the pension fund that we just got  
21 out a little while ago.

22 Q. The figure I have here for  
23 1962, \$124,504.12 being the pension fund?

24 A. I am not going to say. If I  
25 had the thing in front of me I could tell you. If you  
26 got it, that is fine.

27 MR. BIRD: I wonder if I could have  
28 the last exhibit filed, showing the pension fund payments?  
29 Yes, Exhibit 86. shows \$46,074.96, and that I take it  
30 represents the pension payments made in 1962. Is that





1 right?

2 A. Yes, these are the payments to  
3 these people.

4 Q. Yes, so that would it be fair to  
5 say, Captain, that the interest that is now being re-  
6 ceived on capital is sufficient to meet all pension  
7 requirements without touching the capital?

8 A. Pretty nearly.

9 Q. Well, it is pretty close on it?

10 MR. LANGLOIS: That is provided they stay  
11 at the present level.

12 THE WITNESS: At the present level,  
13 which is not a decent pension. As a matter of fact, the  
14 ones that you showed me the list of there, the amount of  
15 pension they are getting is not worth very much. They  
16 get more out of the old age pension than they get out  
17 of this.

18 Q. Do you mean the old age pension  
19 gets \$200.00 a month?

20 A. Who is getting \$200.00 a month?

21 MR. JACQUES: That is for a year.

22 THE WITNESS: That is a year's pension.  
23 Not a month's.

24 Q. Oh, I see. And as your fund  
25 increases do you increase the pension?

26 A. We have been, but the Department  
27 would not allow us to do it any more, because they said  
28 every time we increased our benefits we put our pension  
29 fund back into a deficit. Every time we increased our  
30 benefits, and so they stopped us increasing our benefits,





1 because they said the government will not stand for  
2 you increasing your deficit any more. We had information  
3 from Mercer & Company, and they said never cut out your  
4 deficit. Keep boosting the benefits. The deficit is  
5 only figures, and keep it there, but the Department said  
6 you can't do it.

7 Q. I am sorry, I am not following  
8 you at all. What did the Department refuse you permission  
9 to do?

10 A. They refused to allow us to put  
11 our pension scheme into deficit again. It has been in  
12 deficit up until 1961. It has always had a deficit.

13 Q. What do you mean by a deficit?

14 A. It was not actuarially sound.

15 Q. And now it is actuarially sound is  
16 it?

17 A. Only if we keep the same benefits.

18 Q. Yes.

19 A. Which are not worth having.

20 Q. And the other point you made with  
21 respect to the interest, as I understand it, you wanted  
22 to take it away from the government and to manage it  
23 yourself. Is that right?

24 A. No, not manage it ourself. We  
25 want to turn it over to a trust company for management.

26 Q. And would that not require you to  
27 pay a fee?

28 A. Yes, but with the fee and the  
29 better interest rate we would be ahead of the game.

30 Q. What increase in the interest rate







1 would you expect to achieve?

2 A. Well, our pension money, I say  
3 this because it is a fact, but our pension money has  
4 been in the government's hands, and it has been in the  
5 hands of the Finance Department, who care less about  
6 pilots' pensions than anybody, because they don't care  
7 whether we make money on it or not, because it is none  
8 of their business really. They are doing it for a  
9 charity, and that is the way we are treated when we  
10 talk to them about it. I will show you a letter from  
11 the Department of Finance. We asked them two questions  
12 eleven months ago. They answered one of them, and they  
13 said the other, as such, would take a little actuarial  
14 figuring, and they never had time to do it.

15 MR. JACQUES: Would you produce that  
16 letter, please?

17 THE WITNESS: Yes, if I have got it  
18 in my bag I will.

19 MR. JACQUES: I am sorry to interrupt.

20 MR. BIRD: Oh, quite all right, Mr.  
21 Jacques. I am glad you did.

22 THE WITNESS: Oh, I don't think I have  
23 that with me. Probably the Superintendent can get it  
24 from his office upstairs.

25 Q. Perhaps you might make it avail-  
26 able to-morrow?

27 A. Yes, I can do that.

28 Q. You mentioned that you were not  
29 satisfied with the investments that were being made by  
30





1 the government in your interest. Do I correctly under-  
2 stand your position?

3 A. Well, I can tell you --

4 Q. Well, do I correctly understand  
5 your position?

6 A. Some of them are very poor, yes.

7 Q. Do you mean that they are invest-  
8 ing in securities that provide a high enough rate of  
9 interest?

10 A. No sir. When the government  
11 started operating this pension fund they said first that  
12 we could not buy anything but Dominion of Canada bonds.  
13 In the last few years they have invested some of it in  
14 provincial bonds and some of it in Quebec Hydro and  
15 other things. As a matter of fact, we should have sub-  
16 mitted the last report of our pension fund, which will  
17 show these things.

18 MR. JACQUES: I can file it now if you  
19 wish.

20 THE CHAIRMAN: If you please.

21 THE WITNESS: And if I could see a copy  
22 of it, I could show you where we object to the way it  
23 is handled.

24 MR. JACQUES: I wish to show these  
25 documents to my friend. The certification is done on  
26 the list, so if my friend would examine them I will  
27 produce them afterwards.

28 MR. LANGLOIS: The Certificate is all  
29 right.

30 MR. JACQUES: As Exhibit 87, the 1962





1 Balance Sheet for the Pension Fund of B. C. Pilots.

2  
3 ---EXHIBIT NO. 87: The 1962 Balance Sheet for the  
4 Pension Fund of B. C. Pilots.

5 Q. On looking at this exhibit there  
6 appear to be a large number of 5% securities, Captain  
7 Gosse. Do you feel that the investment should be made  
8 at a higher rate?

9 A. Well, the 5% securities are the  
10 ones that they just got recently. If you look at some  
11 of them here, we have some  $3\frac{1}{4}$  , and some of them are  
12 parity bonds, which are now worth about 60 cents on  
13 the dollar, which we had no responsibility for buying  
14 at all. They were bought and given to us, and put in  
15 here, and that was it. Now, if we try to get rid of  
16 them we are going to lose about 40 cents on the dollar  
17 on those bonds.

18 Q. Well, you don't want to get rid  
19 of them do you?

20 A. Well, I think possibly if a trust  
21 company were to take it they would probably get rid  
22 of them gradually, and get bonds bearing 5 to 6 per cent.  
23 In the long run we would make out a better deal on it.

24 Q. You made one point with respect  
25 to no contribution being made by the shipping companies.  
26 This 10 per cent of gross revenue is taken off the top,  
27 isn't it, on the contributions?

28 A. Yes.

29 Q. And that gross includes all  
30 expenses and other matters paid by the companies in  
respect of pilotage costs, does it not?









1 A. That is right.

2 Q. Now Captain, just in the very short  
3 time that we have available, I would like to deal with  
4 the statement made in your brief on Page 51, Paragraph  
5 3, where you say there has been no increase in basic  
6 tariffs in the district since 1951. Now, I take it you  
7 didn't mean by that statement that there has been no  
8 increase in the pilotage costs?

9 A. In the pilotage cost?

10 Q. Yes. By basic tariff you were  
11 referring to overall pilotage cost, were you?

12 A. Oh, no. Overall pilotage cost  
13 as the shipping people see it is probably boat hire,  
14 and everything else, but we have nothing to do with that.

15 Q. Well, the basic tariff in 1951,  
16 can you tell us how that was made up, or are you able  
17 to do that?

18 A. Well, that is I believe when this  
19 changeover was.

20 Q. Are you able to tell us what  
21 the basic tariff in 1951 consisted of?

22 A. Yes, by looking at the bylaws  
23 we can. You see, I have to find out when this change-  
24 over of rates was.

25 Q. Well, this may assist you. In  
26 1951 your base tariff was one cent per net ton, and  
27 one dollar per foot draught. Does that accord with your  
28 understanding?

29 A. No sir.

30 Q. What is your understanding?





1 A. Because when we had one cent a  
2 ton, we had one cent a ton and two dollars a foot  
3 draught first.

4 Q. You think it was two dollars a  
5 foot draught?

6 A. Well, previous to the changeover  
7 it was, yes.

8 Q. Yes, but I am talking about 1951?

9 A. Well, I will have to see the  
10 tariff.

11 Q. Well, let's just assume that  
12 anyway, that it was one cent per net ton in and out,  
13 and one dollar per foot draught. Now, in May 1951 do  
14 you agree that a surcharge of 10% was made effective?

15 A. A surcharge of 10%?

16 Q. Ten per cent?

17 A. There was a surcharge of 10%  
18 put in on, I think that was previous to 1951.

19 Q. These are my instructions. And  
20 that in February 1958 the surcharge was raised?

21 A. 1951, that is probably since  
22 then, There has been--

23 Q. That in February 1958 the sur-  
24 charge was raised to 14.4 per cent. Do you know that?

25 A. The second charge was put on  
26 pilots, and you put on 2% per pilot for putting on  
27 extra pilots.

28 Q. Was the surcharge raised to  
29 14.4 per cent in 1958, in February?

30 A. Well, regardless of the surcharge





1 The surcharge is not the basic rate anyhow.

2 Q. Captain Gosse, I would just  
3 like you to answer my question. This is an increase  
4 over the basic rate, isn't it, the surcharge?

5 A. A surcharge, if it was put in,  
6 yes, is an increase in the revenue.

7 Q. Yes, and I am suggesting to you  
8 that there was an increase in May 1951 of 10 per cent.  
9 That was the surcharge. That in February 1958 that  
10 surcharge was raised to 14.4 per cent, and in April  
11 1958 it was raised to 21 per cent?

12 A. I don't think that is correct.

13 Q. You say you don't think that is  
14 so?

15 A. No. The only thing we had since  
16 1951, as I recollect it, is I think a 4.8 per cent  
17 decrease.

18 Q. Well, we will get some accurate  
19 figures from Captain Eddie.

20 A. That is right, and I think you  
21 should.

22 Q. In 1958 a new tariff was put into  
23 effect was it not, in November?

24 A. That is what I am asking you.

25 Q. And since then the detention  
26 charges have increased, have they?

27 A. The detention charges?

28 Q. Yes, to \$6.05 per hour per pilot?

29 A. Yes, but we admitted in this

30 brief that some fringe benefits had been changed, but not







1 the basic rate.

2 Q. Yes, what I am trying to get at,  
3 and to acquaint the Commission with, is what you meant  
4 by the basic rate, and how it is related to pilots' costs?

5 A. The basic rate as I understand it --  
6 when I started in 1937 the rate was a cent a ton and  
7 two dollars a foot draught, and that rate carried on.  
8 We had some benefits, increases in the tonnage rate,  
9 and one thing and another, but that was the rate that  
10 was calculated, and until we had the changeover that  
11 rate carried on through, and then the tonnage and the  
12 draught rate --

13 Q. Up until 1957 your pilots were  
14 working twelve hour stints were they?

15 A. No, we just do the job. There is  
16 no set hours. We don't work hours.

17 Q. No, no Captain. Isn't it correct  
18 that you did not require two pilots up until 1957  
19 until the pilotage period was likely to extend beyond  
20 twelve hours?

21 A. What you are referring to is only  
22 on the northern runs.

23 Q. Yes, I know it is, but it is  
24 with the pilotage period extending beyond the twelve  
25 hours?

26 A. We made an agreement at the time  
27 that a ship on the northern run, if the voyage was  
28 going to be over twelve hours, they would have to have  
29 two pilots.

30 Q. Yes?





1 A. But that didn't include the  
2 southern runs.

3 Q. No, that was reduced in 1961 to  
4 eight hours, is that right?

5 A. That is right, eight hours, because  
6 we consider eight hours is a good day's work for any  
7 man.

8 Q. Well, up till 1957 -- A.  
9 We were foolish probably before that.

10 Q. And standby time has come in to increase  
11 the pilotage cost has it?

12 A. A ship does not have to pay  
13 standby time if it wants to dismiss the pilot. That is  
14 entirely up to the ship.

15 Q. Yes, but if she wishes to re-  
16 tain the pilot aboard for an extra hour or so they pay  
17 standby time?

18 A. Yes, and as far as the pilot  
19 is concerned they couldn't care less whether they stand  
20 by a ship, because you get \$36.00, and if the pilot  
21 was down here doing another job he would get more than  
22 that. We just do it as a favour to shipping.

23 Q. I just wanted to make it clear  
24 what you meant when you said there has been no basic  
25 increase in the tariffs in the district, and so that  
26 we understand one another, it is the overall cost that  
27 is the significant thing, isn't it, so far as you are  
28 concerned and so far as the ship owners are concerned?

29 A. If you send a ship to Prince  
30 Rupert for instance the overall cost is not pilotage





1 cost. Your overall cost, you might have to hire boats,  
2 or you might have to do something else, but if you  
3 tack that on to the pilotage bill -- we don't get the  
4 money you pay for boats and expense money. That is not  
5 pilotage revenue either. It is a cost to the ship, but  
6 it is not pilotage revenue.

7 Q. I am not suggesting that --

8 A. But you mentioned overall cost,  
9 and we don't work on overall costs. We work on a pilotage  
10 rate, and that is the only way we derive revenue.

11 Q. Yes, but you derive revenue how?  
12 From the pilotage rate as you said?

13 A. And extra services to shipping.

14 Q. How do you mean, extra services  
15 to shipping?

16 A. By travelling and staying by  
17 ships at the request of the ships, and sometimes you  
18 travel to places to board ships, and that is an extra  
19 service to shipping in our estimation.

20 Q. Well, would you agree as well  
21 that it supplies extra revenue for pilots?

22 A. That is correct, but outside of  
23 pilotage dues.

24 Q. On this Kitimat voyage, if a  
25 pilot is picked up at Cape Beale, or two pilots are  
26 picked up at Cape Beale, that is the general rule for  
27 the Kitimat run?

28 A. That is right.

29 Q. How long are those pilots retained  
30 on board the vessel before one of them commences piloting?









1 A. Oh, probably twelve hours.

2 Q. It would be nearer seventeen,  
3 would not it?

4 A. Seventeen hours. All right.  
5 That is all the more loss to the pilots, because we are  
6 losing that man for seventeen hours.

7 Q. But is not the ship owner  
8 required to pay two pilots for that length of time  
9 without putting him to the work of piloting?

10 A. The ship owner is required to  
11 pay the pilot \$6.05 an hour for six hours, that is  
12 all. But the rest of the twenty-four hours is free.

13 Q. Oh, yes, there is a limit of  
14 \$36.00?

15 A. Yes.

16 Q. And with one pilot doing his  
17 eight-hour stint, how much time does that leave for  
18 the second pilot for an actual voyage to Kitimat?

19 A. That would all depend on the  
20 weather and time of arrival. It could depend on lots  
21 of things, the speed of the ship. But if we are going  
22 to be asked to supply pilots to take ships up to these  
23 places, we want to supply pilots that are fresh on the  
24 job and who can handle the job.

25 Q. Captain, I must ask you to make  
26 your answer responsive to my question?

27 A. Well, you asked for facts, and  
28 these are facts.

29 Q. Are we agreed that in weather  
30 reasonably to be expected the pilotage time from McInnes





1 Island to Kitimat would be about nine to ten hours?

2 A. On some ships.

3 Q. On the usual ships that you have  
4 going into Kitimat?

5 A. No, not necessarily. Most of the  
6 time it is more than that.

7 Q. Give me a range. Twelve hours,  
8 twenty hours?

9 A. It could be anything.

10 Q. I want a reasonably significant  
11 figure?

12 A. It could be, we will say, anything  
13 from ten hours to twenty-four hours, or maybe thirty-  
14 six hours if she had to wait for a ship to get out.

15 Q. Let's take a mean?

16 A. An average run, if she went right  
17 through, yes, ten to sixteen hours. It depends on the  
18 ship. If you have a ten-knot ship you have a sixteen-  
19 hour run up there. Some of them are 21-knots going up  
20 there.

21 Q. If your pilotage time takes, say,  
22 twelve hours, that means one pilot works for eight  
23 hours and the next one for four hours?

24 A. No, we don't work that way.  
25 We split the time. One man might take it for four hours,  
26 six hours, and the other fellow takes it for the rest.  
27 We split it up so that each man does his share.

28 Q. So if you have a 10-hour voyage  
29 and two pilots there, each one will actually pilot for  
30





1 about five hours?

2 A. Yes, approximately, if it is ten  
3 hours.

4 Q. Now, you say on Page 51 that  
5 the increased earnings of the pilots has been due to  
6 an increase of shipping and a shortage of pilots. Has  
7 the number of ships that you are piloting increased very  
8 much?

9 A. Well, we have a figure to show  
10 what it has increased.

11 Q. 1948 to 1962. I see; you have  
12 taken the number of vessels increased by 173.5 per cent.  
13 That is what you are referring to there?

14 A. Yes.

15 Q. I was thinking of the last five  
16 years?

17 A. Well, it says 1948 to 1962. We  
18 went back to 1948 to get a picture.

19 Q. Isn't it true that your earnings  
20 have increased because of the second pilot being  
21 carried in part and by the increase in the tonnage of  
22 the vessels that are now and have been in past years  
23 appearing on this coast?

24 A. My answer to that in the first  
25 place is that this increase as far as the second pilot  
26 is concerned, that doesn't give us any revenue; that  
27 second pilot only gives us better conditions. He doesn't  
28 earn enough to give us any revenue. On the other hand,  
29 as far as the ships getting larger, a grain cargo  
30 ship which I took out the other night, if they had to









1 put on the 10,000 tonners which we used to have, it would  
2 take three of us.

3 Q. But at that time you had a limit  
4 on your basic rate of 6,000 tons?

5 A. At that time we didn't have --  
6 6,000 tons, yes.

7 Q. But now we are dealing with, say,  
8 35,000 ton ships in some cases?

9 A. This was a limit on net tonnage.  
10 Now you are talking about gross tonnage.

11 Q. Wasn't there a limit where any  
12 vessel over 6,000 tons paid the 6,000 ton rate?

13 A. Yes, previous to the war.

14 Q. But that is not the case now?

15 A. Because in those days we got  
16 very few ships that ran that tonnage.

17 Q. Ran what tonnage?

18 A. Six thousand, over 6,000 tons.  
19 It went to 6,000 tons and nothing over that was charged.

20 Q. I am suggesting to you that the  
21 fact that there is now no ceiling on tonnage has meant  
22 substantially more revenue to the pilots, hasn't it?

23 A. Yes, it has. But it also means  
24 that the larger the ships the less ships we have to  
25 take the amount of tonnage out.

26 Q. But the number has been increasing,  
27 I think you told me?

28 A. Yes.

29 Q. Instead of having less ships you  
30 have more?





1 A. Yes; and the number of pilots  
2 has been increasing, too.

3 Q. I was relating my question to  
4 tonnage first, and I think you told me that the number  
5 of ships was increasing, so if the tonnage is increasing,  
6 then your overall revenue is increasing on that account?

7 A. Absolutely, yes.

8 Q. And it is not being reduced be-  
9 cause you are getting, say, three ships put into one?

10 A. It might increase more if we  
11 had three ships instead of one. One ship carrying three  
12 cargoes doesn't give us any advantage?

13 Q. One ship carrying three cargoes  
14 doesn't give you any advantage?

15 A. No.

16 Q. Surely you get the advantage  
17 with the increased tonnage, don't you?

18 A. But we lose two pilotage ship  
19 charges, because it takes two more ships to take that  
20 cargo out.

21 MR. JACQUES: It takes you two more  
22 pilots?

23 Q. If you had many more ships you  
24 would need many more pilots?

25 A. But you said we were talking about  
26 the gross revenue of the district.

27 MR. BIRD: I think that I will perhaps,  
28 since it is 5:15, my lord, leave it here.

29 THE CHAIRMAN: We will adjourn until  
30 to-morrow morning at 10:00 A.M.





ANGUS, STONEHOUSE & CO. LTD.  
TORONTO, ONTARIO

Gosse, Cr. Ex.  
(Bird)

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1  
2 ---Whereupon the hearing adjourned at 5:15 p.m. until  
3 10:00 a.m., Tuesday, March 12, 1963.  
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# ROYAL COMMISSION

ON

## PILOTAGE

HEARINGS

HELD AT

VANCOUVER

B. C.

VOLUME No.:

**5**

DATE:

MARCH **12** 1963

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BOARD OF TRADE BLDG.

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TORONTO

364-5865

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ROYAL COMMISSION ON MARINE PILOTAGE

Proceedings of the hearing held  
in the Federal Building,  
Vancouver, British Columbia, on  
Tuesday, the 12th day of March,  
1963

- - - -

COMMISSION:

The Honourable Mr. Justice Bernier	Chairman
Robert K. Smith, Esq.	Member
Harold A. Renwick, Esq.	Member

- - - - -

Mr. Gilbert W. Nadeau	Secretary
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- - - - -

COMMISSION COUNSEL:

Mr. Maurice Jacques, Q. C.

- - - - -

Mr. Leopold Langlois, Q. C., for the Canadian  
Merchant Service Guild, Inc.

Mr. J. I. Bird, Q. C., for Vancouver Chamber  
of Shipping and Aluminum Company of  
Canada.

Also Present:

Capt. F. S. Slocombe, Department of Transport  
and liaison Officer.

Capt. J. S. Scott, Technical Advisor to  
Commission.

- - - - -





ANGUS, STONEHOUSE & CO. LTD.  
TORONTO, ONTARIO

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Agreement between members of  
the B.C. Towboat Owners'  
Association and The Canadian  
Merchant Service Guild

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1 ---On resuming at 10:00 a.m. March 12, 1963

2 Q. Captain Gosse, if you would turn  
3 to Page 51 of your brief I have a few questions to ask  
4 you regarding the points that we were on at the adjourn-  
5 ment yesterday. Paragraph 3. Now, Captain Gosse, about  
6 how long have you been on the Pilots' Committee con-  
7 tinuously?

8 A. Well, continuously?

9 Q. Yes, were you there from 1951 on?

10 A. No. I have been on the Pilots'  
11 Committee for the last year; the year before that I  
12 was not on the Pilots' Committee, and the year before  
13 that I was on the Pilots' Committee, but I was not the  
14 Chairman. I have been on and off the Committee I  
15 imagine about eight times.

16 Q. Eight years?

17 A. Eight years, but at different  
18 periods.

19 Q. Were you familiar with what they  
20 were doing during their negotiations with The Vancouver  
21 Chamber of Shipping and the government?

22 A. Yes. Some years. Some years  
23 I didn't attend the meetings at all.

24 Q. Well, you have said in Paragraph  
25 3 there has been no increase in basic tariffs in the  
26 district since 1951. Now, did you mean by that that  
27 there has been no increase in pilotage dues since  
28 1951?

29 A. No, sir.

30 Q. In fact the pilotage dues have





1 increased substantially, have they not, since 1951?

2 A. Well, not the basic rate.

3 Q. I am talking about pilotage dues,  
4 the amount that a ship owner or charter or someone using  
5 the pilot must pay for the pilots' services exclusive  
6 of expenses?

7 A. Yes. I think the pilotage dues  
8 have increased since then, but a lot of the increase was  
9 on these extra services that we render.

10 Q. The extra services?

11 A. Yes, extra service we give to  
12 shipping; that is, by detention charges.

13 Q. So you say the increase has been  
14 restricted to the detention charges?

15 A. Not altogether, but quite con-  
16 siderable of it has been -- the increase has been  
17 caused by detention and travelling charges.

18 Q. I am not talking about travelling  
19 charges. I am talking just about pilotage dues; not  
20 expenses?

21 A. When I say travelling charges,  
22 that does not mean expenses. That means when we get  
23 paid for travelling on a ship.

24 Q. That is detention?

25 A. It is now classed as detention.

26 Q. That is an increase in the  
27 pilotage dues, is it not?

28 A. Yes, but as I said before, part  
29 of this is for extra services to shipping.

30 Q. Well, we will get to that in a





1 minute. The next sentence in Paragraph 3 you say the  
2 increased earnings of the pilots have been due to an  
3 increase of shipping and a shortage of pilots. Do you  
4 see that in Paragraph 3? I am reading from your brief.

5 A. Yes.

6 Q. The second sentence in paragraph  
7 3. The increased earnings of the pilots have been due  
8 to an increase of shipping and a shortage of pilots.  
9 Now, is that an accurate statement?

10 A. Well, yes, I think it is an  
11 accurate statement in this way that the shipping has  
12 increased here considerably, and the number of pilots has  
13 not increased to keep up with them.

14 Q. Haven't your earnings increased  
15 because the dues you have been paid have increased?

16 A. No, sir. Our earnings have  
17 increased quite a lot through the fact that we can get  
18 to and from the jobs faster. The pilots are handling  
19 more jobs to-day than they were handling six or eight  
20 years ago because of airplane transportation -- when  
21 we used to take a ship to Rupert it would take three  
22 or four days to get back, and now we fly back in three  
23 or four hours and are on the job the next day. The pilot  
24 to-day can get more jobs to do than he could in previous  
25 years.

26 Q. Do you say the increase in the  
27 dues, which you have agreed to, has not resulted in an  
28 increase of pilots' earnings?

29 A. Partly and partly because of  
30 work.









1 Q. Did you prepare this brief?

2 A. It was prepared by the Pilots'  
3 Committee. Five of the Committee.

4 Q. You have approved of the statements  
5 made in Paragraph 3?

6 A. Yes.

7 Q. Did you have in mind the sur-  
8 charge which was put into effect, a surcharge of ten  
9 per cent that was put into effect in May 1951? Did you  
10 consider that when you made the statement that the  
11 increased earnings of the pilots were due to an increase  
12 in shipping and shortage of pilots?

13 A. Yesterday I was trying to talk  
14 from memory but in the meantime I have a little bit  
15 of data here.

16 Q. Would you answer my question.

17 MR. LANGLOIS: Please.

18 THE WITNESS: I have to explain what  
19 I want to say because I am trying to explain this ten  
20 per cent.

21 Q. Very well.

22 A. So -- where was I?

23 Q. My question was this, Captain  
24 Gosse, did you have in mind the ten per cent surcharge  
25 put in in May 1951 when you made the statement in the  
26 second sentence of Paragraph 3?

27 A. Well, I must tell you this:  
28 during the war when our earnings were very low we  
29 sent a pilot back to Ottawa and he talked to the  
30 Department, and they put a twenty-five per cent sur-





1 charge on all pilotage to try to make up our earnings  
2 so we wouldn't absolutely go broke on the job.

3 After the war the Chamber of Shipping  
4 said this was only put on for the war and they cut it  
5 down fifteen per cent, and this ten per cent is what  
6 remained of the twenty-five per cent.

7 Q. Would you please answer my  
8 question? Did you have the ten per cent surcharge put  
9 in in May 1951 in mind when you made this statement  
10 in Paragraph 3?

11 A. I don't understand you again.  
12 I think you said the wrong date.

13 Q. May, 1951 is the date I have  
14 been referring to. At that time the surcharge of ten  
15 per cent on the pilotage cost was put into effect.

16 A. That surcharge, as I told you,  
17 was what was left of the twenty-five per cent.

18 Q. I am not interested in that,  
19 please, Captain. My question is did you have that  
20 ten per cent surcharge in mind when you made the state-  
21 ment which appears in Paragraph 3 of your brief?

22 A. Yes. Well, that is 1951. I said  
23 since 1951. That was in 1951.

24 Q. Were you on the Pilots' Committee  
25 in February 1958 can you recall?

26 A. I have been off and on so much.

27 Q. If you can't recall, that is  
28 all right. Were you familiar with what was being done  
29 in February 1958?

30 A. I have been familiar with what





1 is being done ever since I have been in the pilots  
2 because I have taken an interest.

3 Q. Do you recall that the surcharge  
4 was raised from ten per cent to 14.4 per cent in 1958?

5 A. That is correct. It was raised,  
6 but it was raised because we asked to take on extra men  
7 and we were given two per cent per pilot to look after  
8 these extra men that were taken on.

9 Q. That was raised again in April  
10 1958 to 21 per cent, the surcharge?

11 A. That again was to look after --

12 Q. Well, was it raised?

13 MR. LANGLOIS: Let him answer.

14 Q. I am trying to have the witness  
15 be responsive, and you can explain all you like later  
16 after you answer my question.

17 A. We are trying to get the facts,  
18 and I want to tell you the facts. The fact is it was  
19 raised to look after three additional pilots that  
20 were taken on.

21 Q. Twenty-one per cent?

22 A. Yes.

23 Q. In November 1958 was a new tariff  
24 put into effect?

25 A. Well, you have November; I have  
26 April, but 1958, yes.

27 Q. I speak of the surcharge of twenty-  
28 one per cent?

29 A. October, 1958.

30 Q. Well, October or November. That







1 also -- that new tariff increased the pilotage dues,  
2 did it not.

3 A. The new tariff was asked for by  
4 the Chamber of Shipping, and it was calculated in  
5 Ottawa and they asked the pilots -- we didn't ask for  
6 it at all but they told us that they would do this,  
7 and if it was any advantage, the pilots would get it.  
8 After a year they calculated whether the old tariff and  
9 the new tariff was the same, and they found there was  
10 3.8 per cent, and they reduced our rates by 3.8 per  
11 cent.

12 Q. Your rates were reduced by 3.8  
13 per cent by this tariff?

14 A. A year and a half after the  
15 changeover.

16 Q. Can you give me the bylaw that  
17 reduced your rates?

18 A. Can I give it to you?

19 Q. Can you tell me which it was?

20 A. Well, it was a bylaw -- it was  
21 cutting down the mileage from I think 88 to 82 cents.

22 MR. LANGLOIS: I have the number of the  
23 bylaw if I can be of any assistance to my learned  
24 friend. P.C. 1960/841 of June, 1960.

25 Q. 1960? In 1957 did you send a  
26 memorandum to the Department of Transport under date  
27 of March 12 stating that the salary of \$12,000.00 a year  
28 would be satisfactory provided that you got proper  
29 leave time and hours of work which were not excessive?

30 A. What was the date of this?





1 Q. March 12, 1957?

2 A. I don't think, not to my knowledge,  
3 I don't know of any correspondence that was sent asking  
4 for a certain salary for the pilots. It might have  
5 been sent by somebody.

6 Q. You have no knowlege of that?

7 A. No.

8 Q. That may come out later.

9 MR. JACQUES: Might I ask if this docu-  
10 ment appears to have been sent by the Pilots' Committee?

11 MR. BIRD: Those are my instructions.

12 MR. JACQUES: By the Pilots' Committee?  
13 Would you, since you are now Chairman of the Pilots'  
14 Committee search your files and see if you can find  
15 this memo dated March 12, 1957, please?

16 THE WITNESS: Unfortunately we have  
17 not got much of a file on these things. We keep as many  
18 papers as we can, but we have to pass them from one  
19 to another and sometimes they get lost. I doubt if I  
20 could get it, but if anybody has it, why can't they  
21 produce it and then we can see.

22 MR. JACQUES: I am asking you to look  
23 through your files since this is your document and I  
24 hope you will do so, please.

25 Q. Now, Captain, before leaving  
26 these increases was the detention time or detention  
27 rate increased between 1957 and 1962 from \$5.00 per  
28 hour to \$6.05 per hour?

29 A. Yes.

30 Q. Were the dues payable for movages





1 in Vancouver Harbour increased between 1957 and 1961?

2 A. Well, these rates could have been  
3 increased between those years, but in 1958 when these  
4 new rates, when the calculation of the new rates -- any  
5 increase before that was taken into consideration  
6 under the calculation of the new rates you see. In  
7 1960 I should say. In 1958. When the new rates were  
8 put in any increases before that were taken into con-  
9 sideration in that changeover of rates.

10 Q. You said movages. So that I  
11 clearly understand you, movages say in Vancouver Harbour  
12 were not increased between -- taking 1953 and 1960 there  
13 was an increase?

14 A. They were not increased after  
15 1958.

16 Q. Well, I am reading here from  
17 the pilotage bylaw dated July 13, 1960, which shows  
18 movages in Vancouver Harbour, the first one, \$30.25.  
19 Is that in accord with your understanding of it, \$30.25  
20 in Vancouver Harbour between the westerly harbour limits  
21 and Second Narrows?

22 A. What time was that?

23 Q. 1960?

24 A. If it is in the bylaws it must  
25 be so.

26 Q. That is what you meant when you  
27 said movages have not increased since 1960, that the  
28 rate was set in 1960?

29 A. For movages?

30 Q. Yes?









1 A. Yes, could be.

2 Q. In 1960 was an amendment made to  
3 the number of pilots required when the pilotage would  
4 take in excess of eight hours? If I can simplify it,  
5 it used to be twelve hours continuous duty?

6 A. Anything over twelve, and then  
7 we changed it to eight.

8 Q. Then it was changed to eight?

9 A. Yes.

10 Q. And that would operate substantially  
11 to increase pilotage dues, wouldn't it?

12 A. Yes, but this only applies to  
13 a small part of our earnings. That is on the northern  
14 trips which are now increased, but at that time it  
15 didn't amount to too much.

16 Q. We are talking about now?

17 A. Now, since about before 1960  
18 it was changed to eight hours.

19 Q. That will come out, but I rather  
20 thought it was 1960 that the change was put in. How-  
21 ever, my point is that that should serve to increase  
22 substantially the pilotage dues, should not it?

23 A. Well, it does, but seeing we  
24 only get half charge for the second pilot, it only half  
25 increases it, because the one man that you put there,  
26 under eight hours he gets half dues for.

27 Q. Yes, but if one pilot did eight  
28 hours of work, there would only be one hour for the  
29 second pilot to do, assuming the trip took nine hours?

30 A. That is not the way it is worked





1 aboard ship. Aboard ship you work watch and watch and  
2 you split the watches. If it is an eight-hour watch,  
3 you take four hours apiece.

4 Q. I appreciate that, but in effect  
5 the person paying pilotage dues is paying the full  
6 rate for each pilot doing half isn't he? Doing half  
7 the eight-hour tour of duty?

8 A. He is paying full rate for one  
9 pilot and half rate for the other pilot, but we don't  
10 have any half pilots, so he is paying one and a half  
11 for two men.

12 Q. But if one man was there and  
13 the job took eight hours, you would only need one man,  
14 wouldn't you?

15 A. Well, that is possible, but who  
16 is to guarantee the job is going to take eight hours?

17 Q. Is it the pilots' position that  
18 you would prefer not to put an additional man on these  
19 ships, but to use him elsewhere at a full rate?

20 A. Well, it is providing the other  
21 man is not going to suffer through being tired and  
22 fatigued.

23 Q. I am sorry. I didn't follow you.

24 A. We would sooner not have a man  
25 there at half rate if the other man was not going to  
26 suffer from fatigue or get tired on watch. Before we  
27 had one and a half rate the pilots themselves, with  
28 one rate used to put two pilots on those jobs, and they  
29 got paid for one.

30 Q. Previously your single pilot used







1 to work continuously for twelve hours, did he not?

2 A. The single pilot never worked  
3 continuously for twelve hours, because we had to set  
4 a limit to get the two men on these jobs. The first  
5 limit was twelve hours, but that does not mean to say  
6 that the pilot worked for twelve hours. If the ship  
7 got there in eight hours, he worked eight hours.

8 Q. Before this amendment came in  
9 reducing the hours of continual duty from twelve hours  
10 to eight, one pilot piloted the ship for any voyages  
11 you felt were not going to last more than eight hours?

12 A. If a ship was going north, and  
13 we thought it was too long a one, regardless of whether  
14 we had twelve hours limit for a pilot, or twenty hours,  
15 we put two men on those jobs, and we got paid for one.

16 Q. Well, do you say you put two  
17 pilots on board ships on the northern runs, where the  
18 pilotage might be twelve hours?

19 A. We have no guarantee of how many  
20 hours it is going to be pilotage when you go north.  
21 What are you talking about twelve hours for?

22 Q. I am talking about twelve hours  
23 being the period of continuous duty which required only  
24 one pilot before 1957. Now, that is correct, isn't  
25 it?

26 A. We only gave that number of hours  
27 to establish that two pilots should be there, because  
28 the trips were usually more than that. But twelve  
29 hours continuous work for a pilot is too much, and that  
30 is what I say, we were foolish when we started twelve







1 hours. A pilot standing on the bridge of a ship for  
2 twelve hours is too much, and it was in 1957 and it was  
3 in 1937, and it still is.

4 Q. That is your answer is it?

5 A. Yes.

6 Q. I would like to just sum this up.

7 In view of the answers you have given me, do you feel  
8 that the statements made in the first two sentences  
9 in Paragraph 3 of your brief, on Page 51, are accurate?

10 A. They are fairly accurate. What  
11 we talked about was the basic tariff. We didn't talk  
12 about all these extra hours, and these twelve and  
13 eight hours. We didn't talk about that. We were  
14 talking about the basic tariff. As a matter of fact I  
15 have got a by-law here that was put out in 1929, and  
16 the tariff on the Gulf run at that time was a cent  
17 a ton and two dollars a foot, and if we had that same  
18 rate to-day we would be doing pretty good on it too.

19 Q. Now Captain I would like, so  
20 that we can go through it fairly chronologically, to  
21 go to page 7 of your brief, and on this page you refer  
22 to the restrictions of the government bylaws under  
23 which the pilots operate. You will see Paragraph 2.  
24 I will just read it: "At a meeting with the head  
25 official of the Income Tax Department in Ottawa a few  
26 years ago, a delegation of Pilots from several Districts  
27 were told that the Department Heads at Ottawa had  
28 discussed this matter and that the only conclusion reach-  
29 ed was that the Pilots were contractors in that they  
30 had the contract to pilot ships in their separate





1 Districts and they were given privileges and hemmed in  
2 by restrictions by the Government Bylaws under which  
3 they operate".

4 Now, do you say that you are hemmed  
5 in by restrictions? Now?

6 A. Hemmed in by restrictions?

7 Q. Yes?

8 A. Yes.

9 Q. What restrictions do you refer to?

10 A. Well, there is lots of restric-  
11 tions. Technically we can't even leave our district  
12 without we get permission from the Superintendent.  
13 That is a restriction.

14 Q. Well, if you have permission --  
15 you are not refused permission to leave your district  
16 when you are low down on the roster are you?

17 A. If you read our bylaws you will  
18 see that there is quite a few restrictions. As a  
19 matter of fact, if a man takes a drink ashore before  
20 going on a job he is liable to be penalized. There is  
21 all kinds of restrictions we have.

22 Q. Well, what I am getting at,  
23 Captain Gosse, is do you feel that these restrictions  
24 you have been talking about are anything other than  
25 one would naturally expect one in your calling to  
26 observe?

27 A. Our calling -- if you remember  
28 there, our calling -- I don't think anybody, half the  
29 people know what our calling is.

30 Q. That is not what I asked you







1 Captain Gosse.

2 A. What you are asking me about now  
3 was worded by Mr. Louis Audette. He was the lawyer on  
4 the Audette Report.

5 Q. I am not interested in what Mr.  
6 Audette might have said. I am asking you whether you  
7 agree that you are hemmed in by restrictions?

8 A. Yes, I still say that we are  
9 still hemmed in by restrictions.

10 Q. Now I would like to go over to  
11 Page 9, and I take it that these references to the  
12 dangers of your profession, the liability to contract  
13 contagious disease, and that sort of thing, do not  
14 apply to-day do they?

15 A. Oh, yes they do. They can apply  
16 to-day just as much. They do not apply so frequently  
17 to-day, but they do apply to-day.

18 Q. Well, so far as you are concerned  
19 has any pilot contracted a contagious disease that  
20 was directly found to have been obtained on board ship?

21 A. Yes.

22 Q. You have?

23 A. Not me, no.

24 Q. Are you able to give me any single  
25 instance within the last twenty years?

26 A. You see, the thing is that I have  
27 been on ships infected with smallpox, and I had to go  
28 through the quarantine service to be inoculated. If  
29 I hadn't been inoculated I might have got the disease  
30 too.







1 Q. When was that?

2 A. That was before the war, but  
3 the same thing can occur to-day.

4 Q. Now, would you come over to Page  
5 10. In Paragraph 16 you suggest that the government  
6 is paying quite a sum of money into the pilotage services.  
7 Now, you are not suggesting that that is not a desirable  
8 thing are you there?

9 A. If they want to do it we can't  
10 stop them anyhow, whether it is desirable or not.

11 Q. Well, don't you think it is a  
12 good thing for the trade of Canada?

13 A. I think for the trade and commerce  
14 of Canada it is a good thing. They supply the light-  
15 houses. They supply all kinds of things to bring the  
16 ships in here.

17 Q. And again at Paragraph 18, on  
18 Page 11, you refer again to these restrictions, and  
19 then at Paragraph 21: "We feel that the Pilotage  
20 Authority is quite justified in placing the above-men-  
21 tioned restrictions upon the Pilots for the benefit of  
22 all concerned ---".

23 So does that properly set out your  
24 position?

25 A. That is right. We don't want  
26 them to remove the restrictions.

27 Q. Now continuing to Paragraph 22,  
28 you refer to your function as a pilot. Do you class  
29 yourself as a professional man?

30 A. Yes we do.





1 Q. And in reading the paragraph:

2 "The functions of Pilots considerably differ from other  
3 occupations in the various Districts where Pilots  
4 exercise their trade. Pilots are professional men  
5 offering their services under varied conditions and  
6 are subject to rigid governmental control, as to their  
7 professional qualifications, conditions of employment,  
8 tariffs, discipline, licensing, et cetera. They cannot  
9 be treated as salaried employees enjoying a guaranteed  
10 level of earnings, security of employment, sickness  
11 and other fringe benefits. They are in fact free  
12 enterprisers operating under governmental control but  
13 assuming themselves the fluctuations of their trade  
14 resulting from variable economic conditions".

15 Do the pilots agree with that state-  
16 ment?

17 A. Yes.

18 Q. So that you are not interested  
19 in fringe benefits, security of employment --

20 A. We are not interested in fringe  
21 benefits.

22 Q. Well, I am wondering if as a  
23 result of this statement you are?

24 A. Fringe benefits mentioned there  
25 is fringe benefits to a salaried person. We are not  
26 salaried.

27 Q. No, but as I take it from this  
28 statement you feel that you should not be treated as  
29 persons ---

30 MR. LANGLOIS: My lord, I object to







1 this line of questioning, which is an argumentation.  
2 I took it from your statement yesterday, my lord, that  
3 these proceedings were fact finding proceedings, and  
4 we should stick to the facts. Here in this part of the  
5 brief which has been referred to the pilots have just  
6 stated the facts as they exist to-day. Now, my learned  
7 friend wanted to find out if they want to have fringe  
8 benefits. There is no question of that in the brief  
9 whatsoever, and as I said they are just stating a  
10 question of facts, and I have been very patient up to  
11 now, but if we carry on with this argumentation between  
12 my learned friend and the witness I don't think we  
13 will get anywhere to-day.

14 THE CHAIRMAN: Of course, if the witness  
15 cannot speak on that for his organization he has only  
16 to say so. Now, many of the things are not facts. They  
17 are just opinions, so therefore they may be based on  
18 facts, and maybe your friend is looking up those facts,  
19 because quite a few are just conclusions that were given  
20 yesterday, rather than as facts. So maybe he is looking  
21 at that.

22 We would like to have them too, if  
23 that is what he is driving at.

24 MR. BIRD: With respect, and also to  
25 my friend, what I want to get from Captain Gosse is what  
26 he feels he wants.

27 THE CHAIRMAN: Or what his Association  
28 wants. That is different of course.

29 THE WITNESS: What we want in regard  
30 to what?







1 MR. BIRD: Well, I will deal with that  
2 in a moment Captain Gosse.

3 That is my purpose in this line of  
4 questioning sir.

5 THE CHAIRMAN: Very good, go ahead.

6 Q. Now, continuing Captain Gosse,  
7 as you know you have no expenses, actual expenses, to  
8 pay so far as administration is concerned, have you?  
9 That is all done by the Department?

10 A. We have a few, yes. We pay  
11 some telephone bills, and a few things come out on a  
12 monthly statement that are paid by the pilots.

13 Q. Yes, but they are of little  
14 consequence, aren't they?

15 A. Not too minor. Insurance, medical  
16 plans, and those things. Telephone calls. They are  
17 all stated on the monthly expense.

18 THE CHAIRMAN: Was a statement filed  
19 of one of those monthly statements?

20 MR. JACQUES: I don't know to which  
21 monthly statement he refers. If it is the Departmental  
22 monthly statement, you will have that my lord.

23 THE WITNESS: Yes, the Departmental  
24 statement.

25 THE CHAIRMAN: This will be coming out?

26 MR. JACQUES: Yes my lord.

27 Q. The other expenses which you  
28 contend were incurred are referred to in Paragraph 24  
29 on Page 12?

30 A. That is right.





1 Q. Those are expenses that are  
2 connected with the discharge of your duties?

3 A. That is right.

4 Q. And which you pay in the lower  
5 Gulf, I take it?

6 A. Yes.

7 Q. Now, when the revised rate, or  
8 rates were agreed and inserted in the by-laws, I  
9 believe in 1960, were not those rates designed to  
10 compensate you for these expenses?

11 A. No. These rates were not taken  
12 into the calculations at all as I understand it.

13 THE CHAIRMAN: Do you mean the expenses?

14 THE WITNESS: The expenses north were,  
15 but these expenses don't show them.

16 Q. Yes, well that was my understanding,  
17 but it was not yours?

18 A. That is right. No.

19 Q. On Paragraph 25 you refer to the  
20 fact that some of your members had to sell their  
21 homes to make both ends meet. Does that situation,  
22 or has that situation occurred during the past five  
23 or ten years?

24 A. Well certainly not.

25 Q. Not?

26 A. No.

27 Q. No. So that it does not apply  
28 now at all does it?

29 A. It does not apply now, but in  
30 my service it did apply.





1 MR. JACQUES: When?

2 THE WITNESS: During the war.

3 Q. Do you mean the last war, 1939  
4 to 1945?

5 A. Yes it was. I don't think I  
6 was piloting in the first world war.

7 Q. Well, I was not suggesting that  
8 you were?

9 A. Well, you were insinuating some-  
10 thing.

11 Q. No, I am reading Paragraph 25  
12 Captain: "This was the case during the last two  
13 World Wars, ---". However, I think I have covered it.  
14 You are not suggesting that on a salary of seventeen  
15 or eighteen thousand dollars a year you would have  
16 difficulty in making ends meet are you?

17 A. No.

18 MR. LANGLOIS: It is not in evidence  
19 that the salary is seventeen.

20 THE WITNESS: We never said that. It  
21 is not in the book.

22 MR. BIRD: No, I will deal with that  
23 later on.

24 MR. LANGLOIS: I suggest that if my  
25 learned friend wishes to give testimony he should go  
26 as a witness.

27 THE CHAIRMAN: In all fairness I think  
28 that what appears also from the brief is that the  
29 sources of income that you have now, you have them to-day  
30 but you may not have them to-morrow. For instance, the









1 China wheat, and the wood for the United States, so  
2 you don't know whether those lines will get them to-  
3 morrow.

4 THE WITNESS: This was put in the brief  
5 just to show how it can fluctuate.

6 THE CHAIRMAN: Fluctuate, yes, so you  
7 are not assured of that income.

8 Q. Now, in Paragraph 26 you say:

9 "Pilotage revenues are directly pro-  
10 portionate to the volume of traffic in any District  
11 and consequently the higher the revenues, the higher  
12 is the amount of work required of Pilots. If Pilotage  
13 revenues are arbitrarily set as a fixed maximum,  
14 incentive of Pilots to earn more money will be therefore  
15 destroyed with consequence adverse results for the  
16 shipping industry."

17 Now, Captain Gosse, let's assume that  
18 you had a fixed, the pilots had a fixed salary of  
19 \$15,000.00, take-home. Do you think that salary would  
20 be sufficient for you?

21 A. Well, you accused me before of  
22 saying \$12,000.00 or something. I am not going to say  
23 I would be satisfied with anything. I say if you take  
24 away the earning power of a pilot, if you make a ceiling  
25 on earning power of a pilot, then if he gets to that  
26 limit he is going to cease to try to earn any more.

27 Q. I don't quite follow you,  
28 Captain. First of all, do you think that \$15,000.00 a  
29 year is a reasonable salary for a pilot?

30 A. If you want to know what I think,





1 I think that pilots should get a good salary according  
2 to the work he performs, and what the ceiling would  
3 be, I don't know.

4 Q. If he earns \$15,000.00, that is  
5 quite a good salary?

6 A. I don't say it is a good salary,  
7 no.

8 THE CHAIRMAN: The trouble here seems  
9 to be whether it is a salary or whether it is just  
10 earnings.

11 Q. If the pilots had a guaranteed  
12 salary of \$15,000.00, they wouldn't have to concern  
13 themselves with fluctuations, would they, of the number  
14 of ships?

15 A. When you talk of a guarantee,  
16 we have never been offered a guarantee of anything.

17 THE CHAIRMAN: He is just asking you  
18 if in that eventuality.

19 THE WITNESS: My answer is still that  
20 I don't think we should be guaranteed anything, except  
21 good earnings.

22 Q. You see, Captain Gosse, this is  
23 something that the Commission and the Board might have  
24 to consider and I would like to have your view upon  
25 it. What I would like you to tell me is what objections  
26 the pilots would have to a guaranteed salary of \$15,000.00  
27 a year?

28 A. With what conditions?

29 Q. With your present working con-  
30 ditions?







1 A. With our present working con-  
2 ditions, I would say no.

3 Q. Why not?

4 A. Because we are working excessive  
5 hours.

6 Q. I have no doubt we will have some  
7 figures as to the hours of work, but my instructions  
8 are that the average number of hours worked by a pilot  
9 on the British Columbia Coast during each day is about  
10 four and a half to five. Would you disagree with that?

11 A. I most certainly do. As a matter  
12 of fact, pilots' hours on duty are twenty-four hours  
13 a day every day of the month, except when he has his  
14 days off.

15 Q. Do I take it from that that you  
16 consider you are on duty --

17 A. On call, on duty; it is practically  
18 the same thing -- as far as our profession is concerned.

19 Q. And do you also feel that if your  
20 salary was fixed at a ceiling your incentive to work  
21 would disappear?

22 A. After we got above that, yes.  
23 If it was fixed at that?

24 Q. Yes, if it was fixed at that?

25 A. It all depends on what conditions,  
26 not with the ceiling. I would have to see the conditions  
27 of work. If we were offered a forty-hour week and  
28 holidays and good conditions, we might consider that;  
29 otherwise no. Without conditions we don't consider  
30 any ceiling.







1 Q. Do you think that in taking that  
2 position you are seeking to acquire the benefits of a  
3 profession and benefits of labour at the same time?

4 A. No, sir.

5 Q. Now, in your experience has any  
6 pilot had his licence cancelled?

7 A. Cancelled? Yes.

8 Q. How many during the past 20  
9 years, except for reasons of health?

10 A. Well, we haven't had many for  
11 reasons of health even. I think all I know is about  
12 three.

13 Q. Who were they?

14 A. I don't think I should name them.

15 THE CHAIRMAN: No.

16 Q. I am sorry, I beg your pardon.  
17 You think three in the last 20 years?

18 A. Yes.

19 THE CHAIRMAN: If this evidence is  
20 necessary, you could file it.

21 MR. BIRD: I am sorry, my lord, I  
22 had not thought quickly enough.

23 THE WITNESS: It is an honourable  
24 profession.

25 Q. Please don't mistake me on that.  
26 If I gave you any offence, I retract it at once. It  
27 was quite inadvertent, and I don't wish you or anyone  
28 here to think that I would cast aspersions on the  
29 pilotage service.

30 On Page 13 of your brief in the





1 Paragraph 28 you refer to the fact that foreign ship-  
2 owners do not pay Canadian income tax?

3 A. Not to my knowledge they don't.  
4 I might be corrected on that.

5 Q. I would agree by and large they  
6 are not taxed in Canada. But is it not so that the  
7 vessels listing full cargoes on this coast are virtually  
8 all chartered tonnage?

9 A. I don't know that.

10 Q. And who in your experience pays  
11 the pilotage charges?

12 A. In my experience?

13 Q. Yes. Do you know who pays the  
14 pilotage charges?

15 A. I don't know. As far as I know,  
16 the master signs a slip. Whether it comes from somebody  
17 in Ottawa or somebody in Greece, I wouldn't know where  
18 it comes from. We don't collect it ourselves anyway.

19 Q. No, but in most instances, I  
20 suggest to you, it is paid by Canadian companies?

21 A. It is paid by Canadian companies?

22 MR. LANGLOIS: That is not evidence,  
23 my lord?

24 Q. By Canadian companies who charter  
25 the ship?

26 A. But isn't there sometimes an  
27 allowance made for pilotage? Anyhow, I wouldn't like  
28 to get into any discussion of where these charges come  
29 from.

30 Q. Now, continuing at Page 14, you





1 refer in Paragraph 31 to long hours and hard work  
2 performed by the pilots, and half way down that paragraph  
3 you say:

4 "By giving this service..."

5 Do you see that?

6 A. Yes.

7 Q. "...we save the ships much time  
8 and money as it saves the ship from deviating sometimes  
9 many miles to our boarding stations which is a saving  
10 of valuable time and money to the ship. A Pilot is,  
11 also on request, obliged to remain by a ship at our out-  
12 ports; this period could be anytime from an hour to several  
13 days. The Pilotage District is paid for this valuable  
14 service to shipping by detention and travelling  
15 charges, this tends to increase the Pilots' income to  
16 some extent but it also increases the Pilots' hours  
17 on tours of duty considerably. These services allow  
18 the ship to proceed close to the source of supply of  
19 the products of our country into some of the outside  
20 bays and harbours which saves the cost of transporting  
21 the products to a larger and more accessible harbour  
22 for loading."

23 Now, Captain, do the pilots favour  
24 the establishment of a northern residence for pilots,  
25 a northern base for pilots?

26 A. I think I mentioned yesterday  
27 that we are not against stationing a pilot in Prince  
28 Rupert, if they have enough work there for the pilot.  
29 But outside of that, where else could you station a  
30 pilot on the British Columbia Coast? -- Unless you









1 put him out on some Indian Village.

2 Q. We might hear more about that  
3 later. But your feeling is that a pilot's -- what do  
4 you call it? A pilot's --

5 A. Station.

6 Q. The pilots station should be  
7 self-supporting by dues, do you?

8 A. If a pilot is stationed or one  
9 or two pilots are stationed at any point, they should  
10 make their keep on it or not be there. One set of  
11 pilots shouldn't subsidize the other pilots.

12 Q. I see. So if a pilot's station  
13 were established in Prince Rupert and a pilot, say,  
14 earned half of the average earnings of the pilots in  
15 the southern district, the southern part of the district,  
16 then until that number of ships ~~were~~ going to the  
17 northern ports your view would be that no northern  
18 station should be established; is that right?

19 A. Yes. In a pooling system every-  
20 body has got to pull their weight or somebody is taking  
21 advantage of the pooling system.

22 Q. That would not be so, would it,  
23 if you had a guaranteed salary?

24 A. I would like to know first who  
25 is going to guarantee this salary to us.

26 THE CHAIRMAN: Well, that isn't the  
27 question. That is a problem which may come later.

28 THE WITNESS: If they guaranteed us  
29 a salary, gave us the conditions, maybe we would go  
30 and live in Bella Bella, if we had a guaranteed salary





1 and conditions, but without conditions what is the use  
2 of offering anyone a guaranteed salary?

3 Q. Don't you agree that Canada's  
4 export trade would suffer if that principle you stated  
5 were followed through?

6 A. Which principle?

7 Q. That no northern pilot station  
8 should be established until the trade is there to  
9 provide the number of ships?

10 A. I will answer you in one way.  
11 Previous to now, we have talked this over with the  
12 Chamber of Shipping before, and the Chamber of Shipping  
13 agreed with us that this was not the time to put a  
14 man in Prince Rupert.

15 Q. Do you say that the Chamber of  
16 Shipping have taken the position that a northern station  
17 should not be established? Do you say that that is  
18 their position?

19 A. I think you will have to call  
20 our Superintendent. He made a trip to Rupert here a  
21 year ago.

22 Q. Captain, please answer my question.  
23 Is that the position?

24 A. I don't want to get the pilots  
25 mixed up in establishing a station, because if a station  
26 were established there we would have to go. But we  
27 are not agreeable if it would not support itself.

28 Q. You are here representing the  
29 pilots. I want to find out what the pilots' view is?

30 A. If a station can support a pilot







1 we will put them in.

2 Q. But until it can support a pilot,  
3 your view is that a northern station should not be  
4 established?

5 A. Because at the present time we  
6 figure it is being adequately serviced.

7 Q. But is it not being serviced  
8 at substantially greater cost than the pilot charges  
9 for the southern district which are close to the  
10 pilot's residence?

11 A. If Prince Rupert, as it was  
12 advocated at one time, put their own pilot station in  
13 there, if they put their own pilot station in there  
14 I think the ships would suffer more because the rates  
15 would have to go up. Now you pay for expenses, but  
16 the rate would go up to compensate for the expenses.  
17 That is my opinion.

18 Q. That the rate in northern waters  
19 would increase to compensate for the present expenses?

20 A. Of sending a man up there.

21 Q. Do you mean that the cost of  
22 pilotage would be greater in the northern districts than  
23 in the southern districts?

24 A. If it was a separate district.  
25 He would have to have a greater rate because he couldn't  
26 provide it at the rate he is getting now. To-day,  
27 it is getting better all the time, but it hasn't come  
28 to the point as yet. They figured it out this year  
29 again.

30 Q. I appreciate that. But wouldn't







1 that problem disappear if the pilots in all areas with-  
2 in the British Columbia District received a fixed  
3 remuneration?

4 A. We are not salaried, we don't  
5 talk salary. We are not salaried men, and you are  
6 going on to a different angle altogether. If we are  
7 going to be salaried men we have got to know what the  
8 conditions are going to be. What is the use of dis-  
9 cussing \$15,000.00? We have been accused of making  
10 more than that, but now we find we are making less  
11 than that.

12 MR. BIRD: Perhaps the reporter would  
13 repeat the question.

14 --- (Question repeated by reporter)  
15

16 MR. LANGLOIS: I would like my learned  
17 friend to clarify that question. Which problem is  
18 he talking about?

19 Q. Do you understand the question,  
20 Captain Gosse?

21 A. No. I think what you are talking  
22 about --

23 Q. Wait a minute. Do you understand  
24 the question?

25 A. No.

26 THE CHAIRMAN: Rephrase it.

27 Q. I will rephrase it. If the pilots  
28 were paid a fixed salary throughout the district, do  
29 you agree with me that the earnings of a pilot, say,  
30 in Prince Rupert, even if they were less because of the





1 number of ships piloted than those of the pilots in  
2 the lower mainland, that that would make no difference  
3 to the pilots because they still get the same sum  
4 of money?

5 A. No, because all the pilots would  
6 want to go to Rupert.

7 Q. Why?

8 A. Because they would have an easier  
9 job up there. Isn't that natural?

10 Q. Well, if you find that to be  
11 a problem, wouldn't you rotate?

12 A. Maybe we could. We have rotated  
13 before.

14 Q. And successfully?

15 A. Not very successfully, because it  
16 is not successful when a man has to go away from his  
17 home for a month to two months at a time.

18 Q. All right. I think we have  
19 covered that.

20 In Paragraph 32 you refer to the  
21 necessity for pilots to go out of their district.

22 A. Yes.

23 Q. Your reference to their trips  
24 to California I will deal with first.

25 Do you agree with me that the pilots  
26 treat that trip as quite a plum and they take advantage  
27 of it to have a pleasant California holiday?

28 A. Is that your opinion?

29 MR. LANGLOIS: I don't think it is  
30 a fair question.





1 A. I will answer that question this  
2 way. We have some pilots that don't want to go on  
3 these trips because they don't want to sit on a boat  
4 going on the Pacific Ocean, sitting in a room reading  
5 papers most of the time.

6 Q. I gather gathered from your testimony  
7 the other day that you consider it a onerous job.  
8 Now, is that so or not?

9 A. We are not -- we are giving this  
10 extra service. We are away from home. That is the  
11 only thing. We are on a tour of duty, but we are not  
12 working until the ship gets to the station. Amongst  
13 ourselves sometimes we joke about this thing, "Are you  
14 going on a California cruise", but believe me it is  
15 not a California cruise. You are sent down there to  
16 join a ship and if the ship leaves on time you don't  
17 get a chance to see outside the hotel room.

18 Q. Do you consider it an onerous  
19 part of your duties, or not?

20 A. A pilot's duty is not onerous  
21 if he knows what he is doing. It is not a difficult  
22 job if a man knows his job. It is like anybody else.  
23 Once you know how to do your job it is not too onerous.

24 Q. Mr. Smith asked some questions  
25 with respect to the Puget Sound situation. I understand  
26 you to say that the British Columbia Pilots had at  
27 one stage refused to go out of their district. Do  
28 you recall that?

29 A. Yes, certainly.

30 Q. How long did that refusal last







1 roughly?

2 A. I think about maybe a month or  
3 two months.

4 Q. It resulted in a reduction of  
5 the pilots' earnings?

6 A. We were not concerned about the  
7 reduction in the pilots' earnings at that time.

8 Q. I see. As a result of that re-  
9 fusal what happened so far as the United States pilots  
10 were concerned?

11 A. Well, I am not going to speak for  
12 the United States pilots. I don't think I should be  
13 asked questions on the United States pilots.

14 Q. Well, I am dealing with this  
15 matter which I am sure the Commission will wish to  
16 consider as to what is now occurring in respect to  
17 ships coming up from the Puget Sound?

18 A. The only thing I can say is we  
19 are not refusing to go to Puget Sound to-day. What has  
20 happened with the Puget Sound pilots I don't know and  
21 I am not going to answer for it.

22 Q. Haven't the Puget Sound pilots  
23 and some owners brought their ships up by way of  
24 Bellingham?

25 MR. LANGLOIS: My lord, this is a fact  
26 which is stated by my learned friend which is not in  
27 evidence. He is giving evidence.

28 THE CHAIRMAN: No, he is just asking  
29 the question. It is on the record because it is a  
30 question which might be taken as a fact.





1 MR. LANGLOIS: That is a good way of  
2 bringing in evidence.

3 THE CHAIRMAN: That is all right, but  
4 if it is only a question in the record we certainly  
5 will not take that into consideration, but we might  
6 find from the question we may need some further information  
7 and direct that that further information be given if  
8 it amounts to something to us. Go on.

9 MR. BIRD: I don't think my friend need  
10 be anxious, my lord.

11 Q. Are you familiar with this  
12 situation in Puget Sound?

13 A. Not too familiar, no. I have  
14 heard things about it, but it is only hearsay.

15 COMMISSIONER SMITH: Could I interrupt  
16 you a minute, Mr. Bird? Are the conditions with regard  
17 to the Puget Sound operations back to normal?

18 THE WITNESS: No, sir.

19 COMMISSIONER SMITH: They are not back  
20 to normal?

21 THE WITNESS: As far as we are concerned  
22 we have offered -- we offered after this stoppage of  
23 going through to Seattle, we offered to go back exactly  
24 as before, and that was the offer we made to the  
25 shipping people, and that is the way we figured we  
26 went back to give this service to Seattle.

27 In the meantime it has kind of blown  
28 up somehow. I don't know what the trouble is, but I  
29 have my idea what it is. I might even be right. I  
30 have nothing to verify it. I couldn't say for sure





1 if I made a statement that it would be correct.

2 MR. JACQUES: May I interrupt your  
3 examination for a minute?

4 MR. BIRD: Yes.

5 BY MR. JACQUES:

6 Q. You said something about offering  
7 to go back to what it was before?

8 A. Yes.

9 Q. Would you care to explain what  
10 it was before and what it is now?

11 A. Well, we used to -- a ship bound  
12 for Seattle, the American pilot would come up to  
13 Vancouver and the two pilots would start off and the  
14 American pilot would get dressed on the way down, sleep  
15 or rest on the way down, and if he was going down the  
16 the Rosario Strait we changed over off East Point.

17 Q. East Point, is that in Canadian --

18 A. I have marked that on the chart.

19 Q. Is that in Canadian or American  
20 territorial waters?

21 A. Well, I don't know. It can be  
22 either, whichever side of the line you are on.

23 Q. You can stay in Canadian waters  
24 or be on the American side. Carry on.

25 A. If she is going to go down Haro  
26 Strait, we would change over off Lime Kiln or off the  
27 position off Discovery Island.

28 Q. Is that Canadian?

29 A. It can be either.

30 Q. Because it depends --







1 A. It depends on how far over you  
2 are.

3 Q. What is it now? What is the  
4 situation now?

5 A. The situation now, we don't know  
6 where we are going to change over half the time, but  
7 there is not too many jobs. The situation now is a  
8 lot of ships put their pilot off at Port Angeles and  
9 come across to Brotchie Ledge.

10 Q. And pick up the Canadian pilot  
11 at what place?

12 A. Brotchie Ledge.

13 Q. Is that a normal boarding station?

14 A. That is right.

15 Q. You said you didn't exactly know  
16 where you stood now. Would you care to elaborate  
17 further?

18 A. No, I wouldn't care to elaborate  
19 on it because we don't know where we stand.

20 Q. Why do you not know where you  
21 stand?

22 A. We don't know who is holding up  
23 the agreement.

24 Q. Which agreement?

25 A. Agreement of the way we travel  
26 through or the way we change over.

27 Q. Has there been any correspondence  
28 exchanged with the American Pilots on this point?

29 A. With the American Pilots and who?  
30 And us?





1 Q. Yes?

2 A. No.

3 Q. Nothing? Who carried negotiations  
4 with the American Pilots?

5 A. I don't know if any have ever  
6 been carried.

7 Q. You are talking about an agreement  
8 or proposed agreement?

9 A. I will tell you this: we have  
10 discussed this a bit with the members of the Chamber  
11 of Shipping but how far they went with it I am not  
12 prepared to say.

13 Q. The Pilots' Committee has not  
14 met the American Pilots on this point?

15 A. No. There was a meeting quite  
16 a while ago but that was at Bellingham, but not since  
17 we have been back to work I don't think.

18 Q. Just one more question. At  
19 the moment there is an agreement left up in the air --

20 A. Well, there was no agreement.

21 Q. Let me finish, please. With  
22 apparently nobody either interested or willing to take  
23 it up with the American Pilots; is that it?

24 A. Well, I don't know that the  
25 American Pilots want to take it up with us.

26 Q. There has been no exchange of  
27 correspondence or conversation with the American Pilots?

28 A. Not in the last four or five  
29 months.

30 Q. Not in the last four or five





1 months, and before that?

2 A. Well, before that, yes, as a  
3 matter of fact we had a meeting at Bellingham at one  
4 time but nothing was settled.

5 Q. At that meeting were there written  
6 records kept of that meeting?

7 A. Maybe. The Chamber of Shipping  
8 were there at the meeting. A representative.

9 Q. Were you there?

10 A. I was there, yes.

11 Q. You were there as a representative  
12 of the pilots?

13 A. Yes.

14 Q. Would you briefly summarize  
15 to the Commission what transpired at that meeting?

16 A. Yes I will. We were invited to  
17 go down to this meeting; the Puget Sound Pilots came  
18 up to Bellingham and we went down from Vancouver and  
19 the Chamber of Shipping men went down from here and  
20 the Puget Sound people came from Seattle, and when we  
21 got to the meeting after about half an hour the shipping  
22 people walked out and left the pilots.

23 Q. Which shipping people?

24 A. Representatives of shipping.

25 Q. Which ones?

26 A. Both.

27 Q. American or Canadian?

28 A. Both.

29 Q. Pilots were left alone?

30 A. Yes, that is right.







1 Q. Who invited you?

2 A. I don't know who set up the  
3 meeting. I don't remember that.

4 Q. But anyway the two groups of  
5 pilots were left alone. Did you discuss anything ?

6 A. Yes, we discussed all kinds of  
7 things.

8 Q. What did you discuss?

9 A. We discussed several things, but  
10 there was never any agreement made there.

11 Q. I realize that, but I merely want  
12 to know what you discussed. What subject matters you  
13 discussed?

14 A. Well, I guess we discussed  
15 pilotage in general, but We were talking about this  
16 changeover point, but we never reached any agreement.

17 Q. What prevented you from reaching  
18 an agreement?

19 A. I don't know because we just  
20 said we were going to go back; we told the Chamber of  
21 Shipping we were going to go back to the same arrangement  
22 as before, and that is all we could do.

23 Q. Were there other changeover points  
24 suggested either by the Canadian pilots or the American  
25 pilots?

26 A. Changeover points suggested to  
27 who?

28 A. Well, to each other. Did you  
29 suggest changeover points to the American pilots?

30 A. No.





1 Q. Did they suggest changeover  
2 points to you?

3 A. They might have, but I don't  
4 remember what they suggested.

5 Q. You do not recall?

6 A. No.

7 MR. JACQUES: Thank you.

8 THE CHAIRMAN: This situation now is  
9 that ships crossing the border have no pilots?

10 THE WITNESS: Oh, no. Ships that used  
11 to take pilots through with them, now most of them instead  
12 of taking the pilots through, they put the Canadian  
13 pilot off at Victoria, the Brothie Ledge Boarding  
14 Station, and they go across to Port Angeles and pick up  
15 the American pilot.

16 THE CHAIRMAN: There is no pilot aboard?

17 THE WITNESS: Just crossing the Strait.

18 Q. Is the trip the vessel has to  
19 make now considerably shorter than the trip it used to  
20 make when you had a changeover point when you both stayed  
21 on the vessel?

22 A. Yes, that is why, one reason  
23 why I claim getting this extra service we give, it saves  
24 the shipping people money because now they have to go  
25 to the boarding stations.

26 Q. How much time is saved?

27 A. Depends on the speed of the ship.  
28 It could be three hours or four hours.

29 Q. What would be the speed of the  
30 ship to save up to three hours or four hours?





1 A. Three hours, she would have to  
2 be probably 15-knots.

3 Q. And what is the average speed  
4 of the vessel you would get on this run? Are they 15-knots,  
5 10-knots or 8-knots roughly?

6 A. I would say 14, 15 knots.

7 Q. So there would be a saving of  
8 about three hours?

9 A. Most of the time.

10 Q. Time on the ship's run?

11 A. Yes, and the mileage.

12 THE CHAIRMAN: And only one stop.

13 THE WITNESS: And a good rest for the  
14 captain on the way down.

15 Q. Now there are two stops. One  
16 to disembark --

17 A. There is no stop on the changeover,  
18 but two stops --

19 Q. The stop at Victoria and stop  
20 on the American side?

21 A. Yes.

22 Q. What were the charges made to  
23 the vessel for this service that you rendered by going  
24 down to Puget Sound?

25 A. The charges by who?

26 Q. Well, you were paid.

27 A. We were paid -- now it is \$60.00.

28 Q. That was the straightforward  
29 charge for you to go down? Were you paid your expenses,  
30 your travelling expenses to go down?







1 A. No, that included the expenses.

2 Q. You got a straight --

3 A. Sixty dollars.

4 Q. A straight sum of \$60.00 when you  
5 took a ship to Puget Sound or when you went --

6 A. When we rode down to Puget Sound.

7 Q. To bring her up?

8 A. Yes, and the American pilot got  
9 the same.

10 MR. JACQUES: Thank you. I am sorry  
11 to have interrupted.

12 THE CHAIRMAN: If you don't mind, we  
13 will stop for a few minutes.

14 ---short recess.  
15

16 Q. Captain Gosse, I want to be  
17 certain that I understood your evidence with respect  
18 to the \$60.00 charge for going out of your district.  
19 Now, is it true that that \$60.00 charge is intended to  
20 take care of two factors? First, your travelling expenses,  
21 that is actual out-of-pocket I mean. Second, the  
22 detention rate of \$6.05 per hour?

23 A. Well, this is just a charge  
24 for going out of our district. We could also have  
25 detention on top of that, if the ship didn't sail on  
26 time from Puget Sound, or from Vancouver.

27 Q. Oh, yes, I appreciate that, but  
28 the \$60.00 item was designed to take care of travelling  
29 expenses, I believe set at about \$18.00?

30 A. It was really set to take care





1 of the pilot's loss of time for being out of the  
2 district.

3 Q. Yes, when you were not piloting?

4 A. That is right.

5 Q. So that the pilotage dues when  
6 you were piloting were in addition to the sixty dollar  
7 figure?

8 A. That is right.

9 Q. I had, I think, got to Page  
10 15, Paragraph 33, and I think I have already dealt with  
11 what you said in Paragraph 33, that you are interested  
12 in having some guarantee that the amount of revenue  
13 would remain as at present, or increase. Do you see  
14 that, at the top of Paragraph 33?

15 A. Well, what I am saying there is  
16 that the pilots would like to have some, but I don't  
17 know how we could ever get it, but we would like it  
18 if we could have some, but how it would be accomplished  
19 I don't know, even if it is possible to have any  
20 guarantee.

21 Q. You describe the district on Page  
22 20, and I take it there is no dispute that the British  
23 Columbia Pilotage District is perhaps unique in Canada,  
24 so far as the length of coastline and the general  
25 pilotage district area is concerned?

26 A. Well, to the best of my knowledge  
27 this is correct. It is the largest district in the  
28 world, never mind Canada.

29 Q. With that point in mind, what  
30 do you say about the establishment of pilot stations





1 in places other than the Gulf area, that is north of  
2 latitude 50?

3 A. Well, being as you said unique,  
4 it is also unique in the instance where to most of these  
5 places where you possibly could establish a boarding  
6 station there is no transportation to them.

7 Q. Well, I was not speaking of a  
8 boarding station. I was speaking of a pilot station.

9 A. A pilot station, as I understand  
10 it, involves a boarding station too.

11 Q. Well, of course it would.

12 A. Yes.

13 Q. But let's take a place like New  
14 Bella Bella?

15 A. Yes, let's let you go there.

16 Q. I have been there.

17 A. Yes.

18 Q. But that is a place where there  
19 is a community, is there not?

20 A. Yes. Of Indians.

21 Q. And a store?

22 A. Yes, and a church. Everything is  
23 there, but it is for the Indians mostly.

24 Q. Well, what about Prince Rupert?

25 A. I don't think you can say that  
26 is an Indian Village, or else you would get into  
27 trouble when you go up there.

28 Q. I don't think the Chamber of  
29 Commerce would appreciate it?

30 A. No.









1 Q. Would you have any objection to  
2 the establishment of a station at Prince Rupert?

3 A. I already mentioned that if there  
4 was enough work there we would be only too glad to  
5 station pilots there.

6 Q. I was referring to the place  
7 itself, not to the work?

8 A. As a matter of fact if you  
9 establish a station there I might go up myself.

10 MR. BIRD: You never can tell. You  
11 might be asked to.

12 I don't think I need deal with the tides.  
13 My lord, I think it might shorten matters if I did not  
14 deal with Kitimat or Prince Rupert here, because of  
15 the fact that the Commission will be sitting there.

16 THE CHAIRMAN: At Prince Rupert.

17 MR. BIRD: Yes, so that I will not deal  
18 with those aspects with Captain Gosse at this time.

19 THE CHAIRMAN: I take it that Captain  
20 Gosse is coming to Prince Rupert?

21 THE WITNESS: I hope so.

22 MR. BIRD: It will avoid duplication.

23 Q. I am now at Page 51 of your brief,  
24 and I have dealt with Paragraph 3. I am turning over  
25 to Page 52, where you speak of this question of work  
26 load. Would you tell the Commission what you mean by  
27 a tour? You show for 1959 the number of tours.

28 THE WITNESS: You are skipping this  
29 Page 50 are you?

30 MR. BIRD: No, I am sorry, I am at Page





1 52.

2 THE WITNESS: These tables were got  
3 out by the office in Vancouver, the Department of  
4 Transport Pilotage Office in Vancouver. I think that  
5 is right. These tours do not include shifts. I think  
6 that is right. I would have to check that, but I think  
7 these tours do not include the shifts, and these tours  
8 can range anywhere from probably three or four hours,  
9 up to two weeks, ten days or two weeks. I mention under-  
10 neath here somewheres that in order to figure this  
11 out that you would have to know how long these tours  
12 were.

13 Q. Yes, well, that is what I am  
14 trying to get. What do you mean by a tour? Does that  
15 include moving a ship from one berth to another in  
16 say Vancouver Harbour?

17 A. I don't think -- I would have  
18 to ---

19 Q. Well, if you don't know just  
20 say so?

21 A. I don't think they are, but I  
22 am not sure. Could I confer with Mr. Langlois?

23 Mr. Langlois, these tours do not  
24 include shifts?

25 THE CHAIRMAN: You will have this  
26 established by somebody else?

27 THE WITNESS: Captain Sorensen down  
28 there is on the Committee.

29 MR. LANGLOIS: I think the Superintendent  
30 of Pilotage should be the witness.





1 MR. BIRD: Yes, I am quite happy about  
2 that.

3 THE WITNESS: Yes, but I think it should  
4 be settled, because if you are given the impression that  
5 it--

6 THE CHAIRMAN: This is going to be done,  
7 and if it is not you will speak to Mr. Langlois, to see  
8 that it gets into the record properly.

9 MR. LANGLOIS: I might refer my learned  
10 friend to the note in between.

11 MR. BIRD: "As this tonnage often moves  
12 to several ports in our District, we give also the  
13 number of tours of our Pilots."

14 Q. Does that assist you, Captain  
15 Gosse, in telling us what you mean by a tour?

16 A. Well, a tour is a job, but I  
17 don't think that the movage is included, but anyhow as  
18 you say --

19 Q. We will get it from another  
20 witness?

21 A. Yes.

22 MR. JACQUES: My lord, I am advised  
23 that the expression tour used in this brief is for one  
24 thing not quite exact. It means a job, an assignment,  
25 and it includes movages.

26 Q. So we have it now that these  
27 figures include movages, and a movage can last, or can  
28 be completed in what would you say, two or three hours?

29 A. Oh, yes.

30 Q. Merely shifting from one berth







1 to another in Vancouver Harbour for instance?

2 A. You say merely, but in shifting  
3 a ship --

4 Q. I am speaking in relation to the  
5 question of time?

6 A. But in moving a ship from one  
7 berth to another you will probably come up against  
8 more hazards, and more skill is required, than in a lot  
9 of other tours, when you are taking a ship to sea.  
10 They may be short in hours, but they are not short in  
11 anxious moments.

12 Q. But we have it that some movages  
13 take two hours, and sometimes less. Is that a fair  
14 statement?

15 A. That is right. As a matter of  
16 fact you couldn't leave your home and get back to your  
17 home within three hours. I think it would probably take  
18 more than three hours.

19 Q. In Paragraph 12, on Page 53,  
20 you say: "We feel that if any assistance can be given  
21 to help our pilots carry on their good service to  
22 shipping, it would be most appreciated but if anything  
23 is done to interrupt our present good service to  
24 shipping and Trade and Commerce of the West Coast of our  
25 country, it would be a very grave mistake".

26 Did you have anything in particular  
27 in mind when you felt that your service might be  
28 interrupted?

29 A. It could be interrupted in  
30 several ways, I imagine, but one thing I think is by





1 putting a ceiling on the salary, or by putting in  
2 government employees. By employing the pilots, all these  
3 things could interrupt the good service of the pilots.

4 Q. How could the placing of a ceiling  
5 on your salary interrupt the service that you provide?

6 A. Well, right now the pilots are  
7 working at a high peak. They are working as much as  
8 they can possibly work. If they get any more work  
9 they would have to have more men, but they are only  
10 working because they know that by working harder they  
11 are going to make more money. But if it ever comes  
12 to the day and the stage that by working harder they  
13 are not going to make more money, they won't work as  
14 hard, and they won't work so hard as they are working  
15 to-day. You take away the incentive of a pilot to  
16 make money, and you have lost his good -- his co-operation  
17 and his goodwill, and everything else.

18 Q. Well, are you telling the  
19 Commission that unless you have this incentive to make  
20 more money that your services as a pilot will deteriorate?

21 A. Your willingness to work will,  
22 yes.

23 Q. I don't want to labour this,  
24 but I want to be quite clear what you mean. Do you  
25 mean you wouldn't be as willing to work?

26 A. That is right.

27 Q. If you don't have this incentive  
28 to make more money?

29 A. That is right.

30 Q. So that if you have a ceiling,





1 say just for example of \$15,000.00 a year, put on your  
2 earnings that would operate to interrupt the service  
3 that you are providing to shipping?

4 A. Well, you are talking about this  
5 \$15,000.00. I said before that I don't think any pilot  
6 would accept \$15,000.00 without hours of work in it.

7 THE CHAIRMAN: Let's just take X figures,  
8 and X conditions.

9 Q. Forget about fifteen thousand.  
10 Just a ceiling of X dollars?

11 A. Yes, I think that would spoil  
12 the service, putting any ceiling on it.

13 Q. Do you wish to add anything more  
14 to what you have said in the way of your reasons why  
15 that would spoil the service?

16 A. What would spoil the service?

17 Q. A ceiling of X dollars on your  
18 salary.

19 A. Well, in any free enterprise,  
20 if a man in free enterprise by working harder and excessive  
21 hours makes more money, he is going to do it, but when  
22 you put this ceiling on where he cannot make more  
23 money he is going to lose that incentive to work, and  
24 to work extra hours.

25 Q. There is nothing more you want  
26 to say?

27 A. No.

28 Q. Turning over to Page 54, in  
29 Paragraph 2 you say: "In 1960 the individual earnings  
30 were \$16,315.18, in 1961 the earnings were \$15,614.58,









1 and in 1962 the earnings were \$14,554.90". I take it  
2 those figures do not include pension contribution?

3 A. No, the pension contribution is  
4 taken out before any split, before the money is turned  
5 over to the pilots.

6 Q. Now, do you agree with me that  
7 \$14,000.00 odd figure for 1962 is lower than the  
8 previous year because of the loss of earnings produced  
9 initially by this argument that you have been having  
10 with the American pilots?

11 A. We have not been having any  
12 argument with the American pilots, I may tell you.

13 Q. Captain, when this changeover which  
14 took place at Lime Kiln in Haro Strait was used with the  
15 Canadian pilots travelling down with the ship and coming  
16 back, that situation existed for almost thirty-five  
17 years, hadn't it?

18 A. More than that.

19 Q. And operated successfully?

20 A. Yes.

21 Q. And is it true that the difficulties  
22 arose when you refused, when the Canadian pilots refused  
23 to leave their district?

24 A. There was difficulty arose, yes.  
25 But I wouldn't say by the pilots' fault. If the pilots  
26 had been left alone in that the difficulty would never  
27 have arisen.

28 Q. Well, would any difficulty have  
29 arisen if you hadn't refused to leave your district?

30 A. What did you say?





1 Q. Would any difficulty have arisen  
2 if you hadn't refused to leave your district?

3 A. I don't think so. It might have,  
4 but I don't think so.

5 Q. It would be reasonable to expect  
6 that you would have gone on the same as you had for  
7 the past thirty-five years?

8 A. It is reasonable to expect that.  
9 But we also had a rumour that there might have been  
10 some difficulties regardless.

11 Q. Well, as a result of that, this  
12 dispute arose, didn't it?

13 A. Yes, that is right.

14 Q. And am I correct in saying that  
15 the pilots would now like to go back to what they had  
16 been doing for the past thirty-five years?

17 A. The British Columbia pilots are  
18 not too concerned whether they go back or not. As  
19 a matter of fact, we are not going down very much. There  
20 has been a little reduction in our earnings, a small  
21 reduction, but also the pilot gets home faster and they  
22 get back on the job. Besides that they get an extra  
23 20 miles steaming, say, 20 miles, about twelve or  
24 fourteen miles extra, to the boarding station.

25 Q. And that means more money for  
26 the pilots, the extra 20 miles steaming?

27 A. A little more.

28 Q. And more payments by shipowners?

29 A. That is right.

30 Q. And if American pilots had





1 continued to use Haro Strait so that the ship had to  
2 proceed for, say, seven miles to Sand Heads Boarding  
3 Station the pilot --

4 A. Seven miles?

5 Q. Roughly, from the border, having  
6 come up through Rosario Strait -- I am sorry, I meant  
7 Rosario Strait - to Sand Heads?

8 A. Yes, from the border line.

9 Q. If the ship owner, after having  
10 dropped the American pilot, had to proceed that seven  
11 miles without taking a Canadian pilot, it would have  
12 operated to reduce the British Columbia Pilots' earnings  
13 even more?

14 A. But legally they cannot refuse  
15 to pay pilotage in Canadian waters.

16 Q. I am not saying that.

17 A. Are you suggesting that they  
18 don't have to pay it? They have to pay it.

19 Q. I am suggesting that it would  
20 have reduced the pilots' earnings?

21 A. If you take any revenue away it  
22 is reducing it, sure.

23 Q. And it would reduce the cost  
24 to the ship owners because all they would have to pay  
25 is the compulsory pilotage for that mileage?

26 A. If the ship you talk about goes  
27 down to Sand Heads, and we get extra mileage to go to  
28 Victoria, if that ship went to Seattle they would have  
29 paid \$60.00 more for taking it to Seattle. So they  
30 are not paying more, they are paying less for the









1 service to Seattle now because they don't have to pay  
2 that extra \$60.00. They have to steam further, but  
3 they don't pay more pilotage, they pay less pilotage.

4 Q. Well, we will get the figures on  
5 it. Now --

6 A. As a matter of fact, I should  
7 correct myself. They pay more money, but it is not  
8 pilotage, it is a charge for going outside of the  
9 district.

10 Q. Now, in paragraph 5, this question  
11 of comparison of the pilots' earnings with those of,  
12 say, masters of tugs and other coastal vessels came  
13 up?

14 A. I beg your pardon?

15 Q. I have a note here to that effect.

16 A. Where do you see this?

17 Q. Paragraph 5?

18 A. What does it say?

19 Q. On Page 54.

20 A. Perhaps you better read it.

21 Q. It may not be there; it may be  
22 in another place. It may have come out in argument,  
23 but I will deal with it now.

24 Do you recall when giving your evidence  
25 stating that the masters of tugs -- you said something  
26 about the masters of tugs, by reason of their arrange-  
27 ments with their union, only worked 15 days in a month  
28 and were entitled, having worked that period, to 15  
29 days off. Do you recall that?

30 A. I would say yes, speaking about





1 conditions, not wages.

2 Q. Well, isn't it true, Captain, that  
3 that arrangement is made because of the peculiar nature  
4 of the tugboat industry?

5 A. The peculiar nature?

6 Q. Yes?

7 A. What is the peculiar nature of  
8 the tugboat industry?

9 Q. Well, I will refresh your memory  
10 on that aspect.

11 I have, my lord, a copy of the Agreement,  
12 and I have three for your lordship and the members  
13 of the Commission and one as an exhibit.

14 MR. LANGLOIS: Are you filing this  
15 as an exhibit?

16 MR. BIRD: Yes, since it has been  
17 referred to, I would like to file it as an exhibit.

18 ---EXHIBIT NO. 88: Agreement between members of  
19 the B.C. Towboat Owners'  
20 Association and The Canadian  
21 Merchant Service Guild

22 Q. Now, Captain, I refer you to  
23 Section 7(a) which reads:

24 "The parties to this Agreement sub-  
25 scribe to the principle of the eight (8) hour day in  
26 industry, but recognizing the impracticability of the  
27 eight (8) hour day in the B. C. Towboat Industry,  
28 agree that equitable compensation for any time worked  
29 over and above eight (8) hours a day shall be made  
30 by time off as provided in Leave Clause No. 8 and Payment





1 for Excessive Hours Clause 22".

2 Are you familiar with that?

3 A. Not too familiar. I don't know  
4 what this refers to, because with those small tugs where  
5 they can't put more than one or two men on, then they  
6 get it, but with the tugs watches they work six-hour  
7 periods and it doesn't refer to that. They work a  
8 twelve-hour day.

9 Q. I suggest to you that that was  
10 a special arrangement for members of the towboat industry?

11 A. Why?

12 Q. Because of the nature of their  
13 work?

14 A. The nature of the work of a  
15 captain on a towboat is very much the same as the captain  
16 on any other boat, except that he is towing the logs  
17 or something, but he is still the master of the vessel.

18 Q. But I think you said you are  
19 not familiar with the way the towboat industry operates?

20 A. I know a little abut about how  
21 it operates.

22 Q. Now, at Page 56 of your brief  
23 you show in Paragraph 10 the detention or travelling  
24 time, 1952, at \$117,577.23?

25 A. Yes.

26 Q. Now, is that the figure, the  
27 total figure arrived at as a result of this \$6.05 per  
28 hour detention time which is provided for in the by-laws?

29 A. This detention time is taken out  
30 of these tables here. It is compiled by the Department







1 of Transport.

2 Q. But is that what you understand  
3 it to be, the \$6.05?

4 A. It is a charge for detention, yes.  
5 Not only that, it also includes the travelling time on  
6 the vessels.

7 Q. Travelling time, of course, but  
8 it doesn't include any expenses?

9 A. Expenses -- no, I don't think it  
10 includes expenses. Although some of the expenses --  
11 expenses have to be paid over and above this, paid out  
12 of this.

13 Q. If you don't know what it is,  
14 that is all right.

15 A. This travelling time is taken  
16 out of these tables; that is all I know.

17 Q. So you can't assist me further  
18 than that?

19 A. I don't know what you are referring  
20 to as expenses.

21 Q. Travelling expenses, bus fare,  
22 hotel expenses?

23 A. This is not expenses, this is  
24 detention.

25 Q. I appreciate that. I just wanted  
26 to be sure I understood you when you say this figure  
27 of \$117,000.00 doesn't include anything else?

28 A. This figure is for detention.

29 Q. Now, are you able to tell me  
30 what proportion of that applies to pilotages north of





1 latitude 50?

2 A. Pilotages?

3 Q. Yes, north of latitude 50, out of  
4 the lower mainland?

5 A. It is a total detention for the  
6 district.

7 Q. Yes, I know, but if you can't  
8 tell me, please say so? If you can't tell me, I will  
9 be quite content with your answer?

10 A. No, I can't tell you.

11 Q. In the second last line you show  
12 earnings per T4 slips, 1962, \$14,554.90?

13 A. Yes.

14 Q. I may have covered this before,  
15 but I take it this does not include your earnings  
16 which have been taken out and used for pension?

17 A. That does not include the gross  
18 earnings of the district, ten per cent of the gross  
19 earnings of the district -- not the pilots' earnings,  
20 the gross earnings of the district.

21 MR. BIRD: Those are all the questions  
22 I have, my lord.

23 COMMISSIONER SMITH: If your lordship  
24 pleases, may I ask this witness some questions?

25 THE CHAIRMAN: Yes.

26 BY COMMISSIONER SMITH:

27 Q. Captain, yesterday you made  
28 reference to a term that I can't seem to define, a  
29 technical one. You spoke of the maximum gross tonnage.  
30 I can't find that described in the definition of tonnages.





1 Does that mean exactly gross tonnage? Is there a  
2 difference between gross tonnage and maximum gross  
3 tonnage?

4 A. No. What we are referring to  
5 there is that the gross tonnage of the ship as given in  
6 Lloyds before any deductions for open shelter deck.  
7 That is what I am referring to as the maximum gross  
8 tonnage. It is the most gross tonnage that that ship  
9 can have.

10 Q. Let me read you here the  
11 definition, and I will need to read the definition of  
12 "registered" first because they are more or less  
13 complementary. This is registered tonnage. "This is  
14 the total internal capacity of a ship both below and  
15 above the tonnage deck. It is the cubic measurement  
16 of all cargo, machinery, navigation, accommodation,  
17 store, tank and other spaces on the ship expressed in  
18 tons of one hundred cubic feet".

19 Now, gross registered tonnage. "This  
20 is the same measurement as given above for registered  
21 tonnage, that is the total internal capacity of the  
22 ship expressed in terms of one hundred cubic feet per  
23 ton".

24 Does that include what you were  
25 speaking of as maximum gross tonnage?

26 A. This is the tonnage we would like  
27 to have charged, but I don't know what law they work  
28 under. But they can take tonnage openings off and have  
29 it an open shelter deck, and that reduces the tonnage.  
30 No matter whether they take these tonnages out, we still









1 have the same ship to move, and we should have the  
2 maximum tonnage.

3 Q. You say by putting a shelter deck  
4 on the ship you can increase, say, the capacity in  
5 measurement from gross to maximum gross?

6 A. No, this is not what they do.  
7 The ship is built so that they can open certain ports,  
8 and then they put the main deck down to the tween  
9 decks and top deck is an open deck, and that reduces her  
10 tonnage. I might be wrong in that definition. They  
11 can reduce the tonnage.

12 Q. You mentioned, too, that you  
13 thought a formula for pilotage dues should be on maximum  
14 gross tonnage rather than the present formula under the  
15 by-laws.

16 A. Well, we have gross tonnage  
17 now, you see.

18 Q. Yes, but you mentioned the  
19 maximum?

20 A. What we are objecting to is ships  
21 coming in and reducing their tonnage by open ship.

22 Q. Yes, I understand that. I have  
23 some information here in front of me about various ports  
24 in the United States, and there is one port that has  
25 dead weight tonnage formula. Maine, Portland, and  
26 some have gross and some have net registered. Have you  
27 any particular opinion as to exactly what it should be  
28 in this district?

29 A. Well, I think we say somewhere  
30 here that the way it is worked now, but one suggestion





1     sometime that it be charged per foot for the length of  
2     the ship more than the tonnage. We have also had some  
3     pilots suggest that it should be the registered tonnage,  
4     displacement tonnage. All these things. However, we  
5     found out through the years it doesn't matter what  
6     you base it on, it probably will come out the same.  
7     The only trouble is some ships are penalized because of  
8     more tonnage, and we have the Swedish and Norwegian  
9     ships coming in here, and they seem to somehow or other  
10    have some big ships, but when you look at the tonnage  
11    they are small tons. How they do it, I don't know,  
12    but it has something to do with the construction of  
13    the ship I guess.

14                     How do you base it, I don't know, but  
15    the only thing is if we suggested a changeover to some  
16    other calculations, they will change it over and we  
17    will be no further ahead anyhow so if it suits the  
18    ship owners --

19                     Q.     Leave it as it is?

20                     A.     We might as well leave it as it  
21    is.

22  
23    ---Noon adjournment.

24                     -----  
25  
26  
27  
28  
29  
30





1 ---On resuming at 2:00 P.M.  
2 BY MR. JACQUES:

3 Q. Now, Captain, you no doubt have  
4 read the Order in Council concerning this Commission.  
5 Its duty is to investigate the extent and nature of  
6 marine pilotage, the duties and responsibilities and  
7 status of the marine pilots. These are the two main  
8 items which concern you.

9 Yesterday you mentioned that you went on  
10 board a vessel and you operated the vessel, you took  
11 complete charge of the vessel, to conduct the vessel.  
12 Is that exact?

13 A. I don't think so.

14 Q. Would you care to correct me if  
15 it is not?

16 A. I said that the master on most  
17 of the vessels -- as we go aboard the master hands  
18 over the duties of navigating the vessel or shifting  
19 the vessel to the pilot on most occasions.

20 Q. On most occasions?

21 A. Yes.

22 Q. Now, are these occasions more  
23 frequent than the occasions when he does not turn over  
24 navigation to you?

25 A. Well, in my experience in twenty-  
26 six years here I have never had one refuse to turn  
27 it over.

28 Q. You have never had a master  
29 refuse to turn the ship over to you? Do these duties  
30 include the docking and undocking of vessels?

A. Yes.









1 Q. They do?

2 A. Absolutely.

3 Q. Is the master of the vessel on  
4 the bridge when you are doing your part of the job?

5 A. That is right. The master is  
6 usually on the bridge looking over our shoulder and  
7 seeing that we do a good job.

8 Q. Could we say that he supervises  
9 or he just looks on to see the job is done right?

10 A. Yes. If he wanted to he could  
11 countermand our orders or change our orders, but in  
12 my experience I have never had occasion where they took  
13 over the -- they might suggest something, but they  
14 very seldom ever interfere.

15 Q. What sort of things would they  
16 suggest, for instance?

17 A. They might suggest this vessel  
18 hasn't much backing power; be careful, don't get too  
19 much way on her. Things like that, what they should  
20 tell us.

21 Q. They tell you --

22 A. The peculiarities.

23 Q. The peculiarities of the ship that  
24 you are handling?

25 A. Correct.

26 Q. Whether she is slow-turning  
27 or whether she is slow backing or whether she has a  
28 tendency to broach to or anything like that?

29 A. Yes. On other occasions I have  
30 had a master of a ship turn around and tell me that he





1 wanted me to look after his ship. He was responsible  
2 for the ship coming into Vancouver and he said "whatever  
3 you do, pilot, don't get me into trouble".

4 Q. Did you?

5 A. No.

6 Q. Do you consider that you do more  
7 than giving advice when you do your job?

8 A. Yes, we do. We do more than give  
9 advice. We do actually do the job.

10 Q. Now in your past experience,  
11 not only as a pilot but also as a master of a ship, and  
12 I understand you were master of ships?

13 A. Yes.

14 Q. Was the situation the same as  
15 it is now as regards the duties of a pilot?

16 A. I don't just --

17 Q. When you were master did you let  
18 the pilot take over your ship?

19 A. When I was master, I was master  
20 on coasting ships. We never had pilots.

21 Q. You never had occasion to serve  
22 on a ship which used pilots?

23 A. Yes, as an officer, but not as  
24 master.

25 Q. What was the position then?

26 A. I was third mate on the Dollar  
27 Line. They used to have pilots, and the same thing  
28 applied there. The master turned the ship over to the  
29 pilots in most ports.

30 Q. In what waters did you ply then





1 when you worked for the Dollar Line?

2 A. The China Coast, Japan and China  
3 Coast, Manila and Singapore, and around all the American  
4 ports, San Francisco and Los Angeles and along the East  
5 Coast ports up to New York and Boston, Savannah. I have  
6 never been to European ports.

7 Q. In your experience has it always  
8 been the same that the actual navigation of the ship is  
9 turned over to the pilot in all these ports?

10 A. Yes, as far as I can remember  
11 the pilot always looked after it.

12 Q. Now I turn to your brief which has  
13 been dealt with extensively so far but yet I have a few  
14 questions to ask. On Page 3, Paragraph 1, reads as  
15 follows:

16 "We submit that many local problems  
17 could be more speedily solved if the Supereintendent of  
18 the District, in consultation with the local Pilots'  
19 Committee was given more authority to deal with any  
20 local problems that continue to arise from time to time."

21 Now, is there not at the moment some  
22 consultation going on between the Pilots' Committee and  
23 the Superintendent?

24 A. Yes.

25 Q. It exists does it not?

26 A. Yes.

27 Q. When you submit any problems  
28 to your local Superintendent, are they listened to?  
29 Is action taken on these problems, or are they just  
30 forgotten?









1 A. Yes, most of the time there is  
2 no trouble involved there. The Superintendent does  
3 consult with us, with the Committee, on most matters.  
4 But there again I imagine the Superintendent might be  
5 able to explain it better. Some problems he has to  
6 refer to Ottawa for a ruling.

7 Q. You mentioned two examples of  
8 these problems and one was relating to messages, E.T.A.'s.  
9 Could you give the Commission further examples of those  
10 problems which could not be solved by the local  
11 Superintendent?

12 A. Well, we had an occasion of  
13 leave time. We submitted to the Superintendent our  
14 suggestion of leave time for the pilots, and he said  
15 you have to give me a letter on that. I must send it  
16 back to Ottawa for acceptance.

17 Q. What was the problem then?

18 A. There was no problem except that  
19 we were changing our leave time and we decided at a  
20 meeting by ballot we were going to change our leave  
21 time, and this was --

22 Q. Change it to what?

23 A. Change it from -- we used to get  
24 eight days off; seven days off, seven days off call a  
25 month. We were subject to call even when we were off,  
26 and we changed back to six days and accumulated two  
27 days.

28 Q. Didn't that involve a change  
29 in the by-laws?

30 A. No. It is not in the by-laws.





1 Q. Would you allow me to check,  
2 please?

3 A. You may be confused with annual  
4 leave, but this is not annual leave, this is monthly  
5 leave.

6 Q. I believe you are right, pilot,  
7 there is no mention of it in that by-law. Who had made  
8 this rule, the previous one which you wanted to change?

9 A. The pilots.

10 Q. The pilots themselves?

11 A. But it was probably -- I don't  
12 know how it was accepted, whether it was accepted by  
13 the Superintendent without sending to Ottawa. The first  
14 original one, I don't know how that was worked.

15 Q. How long ago was that?

16 A. Well, first, before the war we  
17 had no days off call. After the war we decided to take  
18 four days off call and then we increased it from four  
19 to six, and it was increased from six to seven in one  
20 month and eight the next month. In other words, giving  
21 us fifteen days in two months off call.

22 Then we changed it back to six days  
23 and accumulate two days to give us a rest period in  
24 the summer and in the winter.

25 Q. Now, this increase in the number  
26 of days during which you were not on call, can you tell  
27 me if it had as an effect, one of the effects to in-  
28 crease the amount of work, the work load of the other  
29 pilots, the pilots on duty?

30 A. It does, but it was figured out





1 I think about the number of pilots that were still left  
2 on the roll, it was 1.5 pilots less on the new leave  
3 system than on the old system.

4 Q. Now, would you care to explain to  
5 the Commission how your committee works? Do you keep  
6 minutes of these Pilots' Committee Meetings?

7 A. Yes.

8 Q. You have a Minute Book?

9 A. Unfortunately up until now --  
10 the B. C. Pilots have now incorporated and we figure  
11 with municipal incorporation we will have a better setup  
12 as far as keeping minutes. Before the Chairman of  
13 the Committee and some of the other members of the  
14 Committee kept the minutes and probably packed them  
15 around in their bags. We have no official office so  
16 we have now incorporated and under this incorporation  
17 we shall have a book of minutes and it will be all  
18 filed away and from now we think a better record will  
19 be kept.

20 Q. This involved an evil situation  
21 which I will take up with your counsel, but for the  
22 moment can you tell me in the Pilots' Committee as  
23 constituted under the by-law you have some sort of  
24 minutes or bookkeeping record of the meetings and matters  
25 discussed?

26 A. We have minutes; I think I have  
27 the book in my bag there, minutes of the meetings that  
28 were held. The trouble is, as I say, we had no Minute  
29 Book. As a matter of fact, we were a group of pilots  
30 working together without any incorporation and without









1 any ties, and we worked as individuals.

2 Q. Would you be kind enough to  
3 produce, not file as an exhibit yet, but produce a Minute  
4 Book of the Pilots' Committee, please?

5 A. We haven't got a book.

6 Q. Documents. You must have kept a  
7 file on your work?

8 A. I got a file of minutes that goes  
9 back I think probably to when I took over in April last  
10 year. I might have them back to that. One of our  
11 pilots is a committee man and marks down the minutes  
12 and takes them home and I guess he gets his wife to  
13 type it and he sends it back to me and I file them.

14 Q. That would be sufficient if you  
15 will bring that, sir, please?

16 A. It is right here now. Some of  
17 them are here. These are the minutes. We also have  
18 meetings in Victoria. Some of them are minutes of  
19 meetings in Victoria.

20 Q. These are the minutes that you  
21 have kept since you have been Chairman of the committee?

22 A. Well, there is more here.

23 MR. LANGLOIS: At this stage if my  
24 learned friend is agreeable I could go through this  
25 file and give him certified copies of the minutes that  
26 are relevant.

27 THE CHAIRMAN: At the adjournment you  
28 will look after this?

29 MR. JACQUES: If you would, please.

30 THE WITNESS: We want it understood the





1 pilots have no company, no incorporation, and have not  
2 had up until the present time, and that is probably the  
3 reason why a lot of our stuff goes astray, but we hope  
4 we can overcome that in future.

5 Q. Who is looking after the incorpora-  
6 tion of the pilots at the moment?

7 A. The incorporation is already put  
8 through.

9 Q. It has already been put through?  
10 I wonder if the Pilots' counsel would be kind enough to  
11 report?

12 MR. LANGLOIS: This incorporation was  
13 done through another counsel here on the coast, and I  
14 do not know about it except it is in existence. It  
15 was not done through the Guild.

16 Q. Would you be also kind enough  
17 to file the charter of your corporation, please?

18 A. We haven't got the charter yet.  
19 As we understand from our lawyer, I think it is February  
20 22.

21 Q. This year?

22 A. This year, the incorporation was  
23 passed, the by-laws and incorporation and everything  
24 was passed, and we haven't got the charter or seal or  
25 anything yet. We haven't even got Minute Books.

26 THE CHAIRMAN: Federal charter or  
27 Provincial charter?

28 THE WITNESS: Federal charter because  
29 all our dealings are Federal.

30 Q. Do you think you could prepare





1 for tomorrow something on this charter to let the  
2 Commissioners know what powers you ask in your charter,  
3 what the aims of the corporation are and how it is pro-  
4 posed that it will function?

5 A. I think I have that. Have you  
6 got that in the book? We have the by-laws. I will sub-  
7 mit you our by-laws and you can file it.

8 MR. LANGLOIS: May I suggest, my lord,  
9 the lawyer who has been working on this incorporation  
10 would be a witness.

11 MR. JACQUES: If they wish to relieve  
12 him from his oath, I have no objection.

13 MR. LANGLOIS: No, we will bring the  
14 lawyer and have him here as a witness.

15 Q. Now, the Pilots' Committee as  
16 it stands, does it elect officers, a Chairman, a  
17 Vice-Chairman, Secretary, Treasurer?

18 A. No. We elect five men to the  
19 Committee, three of which are from Vancouver and the  
20 other two from the Island, either Nanaimo or Victoria,  
21 and the Chairman is chosen from among the Committee.

22 Q. He is chosen by whom?

23 A. By the Committee members.

24 Q. By the elected members?

25 A. That is right.

26 Q. Do you appoint a Secretary?

27 A. No, we don't. We have no Secretary  
28 at all. We have a man that looks after any monies,  
29 the Treasurer, but we have no Secretary. The secretary  
30 work is done by one of the members of the Committee.









1 Q. Are members of the Committee paid  
2 for the work they do?

3 A. No, just for the good of the  
4 association.

5 Q. Have any by-laws been adopted for  
6 the elections, when elections are to take place and how  
7 they are to take place?

8 A. For the Committee?

9 Q. Yes?

10 A. It is in the Pilot book.

11 Q. Well, it says you must have  
12 elections I think sometime in April?

13 A. Yes.

14 Q. But there is no provision for  
15 convening the pilots to the election. How is the  
16 election carried out?

17 A. It is carried out by ballot.  
18 First by nomination, and then pilots that are nominated  
19 are ballotted on.

20 Q. Are there any written rules  
21 concerning this procedure?

22 A. By the pilots?

23 Q. Yes?

24 A. Well, there again I am telling  
25 you the pilots are just a group of men working as  
26 individuals, and we make our own rules because we had  
27 no incorporation.

28 Q. Yes, I realize that, but perhaps  
29 you do not understand the question quite well. I am  
30 just wondering whether the pilots have written rules,





1 have drafted rules saying the election will take place --  
2 I don't know -- the second Monday of April?

3 A. It is in our by-laws. The  
4 Department of Transport put it in the by-laws.

5 Q. I would ask you to point out to  
6 me the sections of the by-laws stating how the election  
7 is to be carried out. I have an amended set here, sir.

8 MR. LANGLOIS: If you are looking for  
9 the by-laws, I have them here.

10 Q. He has got them.

11 A. Here it is. "The pilots shall in  
12 every year, in the month of April, appoint from among  
13 themselves a committee of five to hold office for one  
14 year and be known as the Pilots' Committee;

15 The member is eligible for re-appoint-  
16 ment upon expiration of his term of office;

17 The majority of members constitute a

18  
19 PAGE 600 follows:  
20  
21  
22  
23  
24  
25  
26  
27  
28  
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30





1 quorum;

2 Where a vacancy in the Pilots' Committee  
3 occurs during the year, the pilots shall appoint a new  
4 member who shall hold office for the remainder of the  
5 Committee's term of office;

6 The Committee shall be recognized by  
7 the Authority and the pilots as the sole agents through  
8 which representations may be made in all matters affecting  
9 pilots, collectively or individually."

10 Q. How do you convene your members  
11 for an election?

12 A. The Pilots' Committee is elected  
13 by ballot.

14 Q. Yes, but how do you get these  
15 ballots?

16 A. They are mailed out to them.

17 Q. They are mailed out to the  
18 pilots? Actually there is no meeting? There is no  
19 grouping of the pilots together for this election?

20 A. There is a meeting held once  
21 a month, and when the ballots arrive in they are opened  
22 at the meeting, and counted by scrutineers.

23 Q. So actually the whole body of  
24 the pilots is not called to a meeting to elect the  
25 members. The ballots are sent out to the pilots,  
26 and returned by mail. Is that it?

27 A. Well, I would like to tell you that  
28 if we called a meeting of all pilots, then we would  
29 be practically staging a strike here, because there  
30 would be no pilots available for the ships.







1 Q. You could call the majority of  
2 them?

3 A. If we ever have to hold a meeting  
4 and call all pilots, then the operation ceases.

5 Q. Now, if you had called a meeting  
6 would you have expected to get a majority of the pilots?

7 A. No, we can never get a majority  
8 of them. That is why we use a ballot.

9 Q. Good. That is what I want to find  
10 out.

11 A. Yes. Well, you found it.

12 Q. Apart from these ballots, which  
13 you mail to the pilots, do you keep any other books?  
14 You have a Minute Book, and you have a Ballot Book. I  
15 understand that you have some funds?

16 A. Yes.

17 Q. Do you have account books for  
18 the funds?

19 A. Yes.

20 Q. What is the purpose of these  
21 funds, if I may ask?

22 A. These funds are only to pay --  
23 like our guild dues are paid out of that fund, and any-  
24 time we have to buy flowers, or a gift for somebody,  
25 that is taken out of the fund. It is called a Club  
26 Fund, but it does not amount to very much. As a matter  
27 of fact, at the end of the year we -- we only assess  
28 the pilots so much, so that at the end of the year there  
29 is not much left in the fund, because after the Guild  
30 dues are paid the fund is pretty well down, and we build





1 it up the next year again.

2 Q. Now, to come back to the difficulties  
3 which you seem to have with the Department, you have  
4 pointed out one example concerning leave of absence.  
5 Do you have any other example with the Department?  
6 You say the Superintendent should have more authority,  
7 and you gave me one example to-day, and you gave one  
8 example yesterday. I would like to know whether you can  
9 give further examples of this?

10 A. Well, I can only tell you this.  
11 That we up until the last few years, I would say five  
12 years, we have not had too much trouble. Usually a  
13 stand is taken. Somebody takes a stand. The only time  
14 we have trouble is when we go back to Ottawa, and we  
15 can't see the higher up officials. We are passed on to  
16 the lower officials, in the Department, and we don't  
17 get any satisfaction, and it is just a waste of money  
18 to travel back and forth.

19 Q. How often do you do that?

20 A. Once a year.

21 Q. Once a year you take your problems  
22 to Ottawa?

23 A. Well, we combine them with the  
24 Pilots' Convention if we can, and once a year we make  
25 a trip to Ottawa. As a matter of fact we were requested  
26 by the Minister, Mr. Lionel Chevrier, to do this, "come  
27 back once a year and see us".

28 Q. What problems do you have for  
29 Ottawa to take up?

30 A. Well, I can show you the brief





1 we submitted to him.

2 Q. Perhaps we can continue whilst  
3 they are looking for the brief.

4 You also mentioned that you were hemmed  
5 in by all sorts of restrictions, and you mentioned too,  
6 that you couldn't leave your district, and that the  
7 consumption of liquor was restricted. Are these the  
8 only two restrictions which you feel hem you in?

9 A. Well, as a matter of fact, as I said  
10 in the brief, I think that we are not complaining about  
11 this business, because we get privileges too, but  
12 the reason I mentioned that is because some people say  
13 we have privileges, but I say we have privileges but  
14 we also have restrictions.

15 Q. Well, that is just it you see.  
16 We are also interested in all restrictions, not just  
17 the restrictions that you may not like. Even those you  
18 like we are still interested in.

19 A. All the restrictions are in our  
20 by-laws.

21 MR. LANGLOIS: We like them all.

22 Q. And there are none others imposed,  
23 say by custom, or by practise, or by ruling by the  
24 Local Superintendent?

25 A. We are not accusing the Local  
26 Superintendent of not doing his work, or anything. We  
27 are asking the Department to give the Local Superintendent,  
28 if it is necessary give him a little more authority.

29 Q. I will repeat my question. There  
30 are restrictions in the by-law?









1 A. That is right.

2 Q. You have no objection to that.

3 You find they are suitable. They are adequate, and they  
4 should be. Apart from the by-law are there any other  
5 restrictions imposed by practise, by custom, or by  
6 the Superintendent, or any other authority for that  
7 matter?

8 A. No, I don't think so. As a matter  
9 of fact, some of the restrictions that are in the by-laws  
10 are not imposed too stringently.

11 Q. Now sir, concerning the working  
12 of the Committee and discipline. I am advised that  
13 your Pilots' Committee deals with discipline?

14 A. We do to a certain extent, yes.

15 Q. Have you a special machinery set  
16 up to do that?

17 A. No, the only machinery we have  
18 is that if a man gets out of line in any way we  
19 call him in to the Superintendent's office. The  
20 Superintendent is there, and maybe the Assistant Super-  
21 erintendent.

22 Q. Who calls him?

23 A. The Superintendent calls him,  
24 and the Pilots' Committee is there, and he is faced  
25 up with whatever the problem is in front of the Super-  
26 intendent.

27 Q. Does the Pilots' Committee  
28 advise the Superintendent on these matters, of what  
29 action should be taken by him?

30 A. Yes, he consults with the





1 Committee, and asks what action do you think we should  
2 take. If it is not too bad a breach of the rules.  
3 Probably if it was something else he could probably  
4 go over our heads, and not do it, but he generally  
5 calls and asks us what action we think he should take.  
6 Or sometimes we recommend him to take action, or not  
7 to take action, but it is up to him to decide whether  
8 he is going to do it or not. We can't make him do  
9 these things. We can advise him, or he can consult  
10 with us. I think on most matters he is supposed  
11 to consult with us. On some matters anyhow.

12 Q. So would it be fair to say that  
13 on disciplinary matters you are either consulted, or  
14 you advise the Superintendent of what measures should  
15 be taken, and that this advice is always taken into  
16 consideration. I am not saying that it is always  
17 followed, but always taken into consideration. It is  
18 not rejected lightly by the Superintendent?

19 A. Oh, no.

20 Q. I read in your brief of terrible  
21 contagious diseases, et cetera, and you also mentioned  
22 that since the war you had not seen anything like  
23 that. Is that correct, infected ships?

24 A. No, I mentioned that it can  
25 happen. It has happened since the war. We have had  
26 ships in here that were exposed to smallpox.

27 Q. When?

28 A. Well, the quarantine regulations  
29 here after the war, Japan was suspected. Any ship from  
30 Japan had to be quarantined. They would give other







1 ships pratique, ships from Indo-China and Japan and  
2 so forth were suspected, but regardless of whether they  
3 are suspected or not the pilot must work.

4 Q. Well, I realize that, Pilot, but  
5 I also realize that a ship may be sent to quarantine,  
6 yet there may not be any disease on board. If they  
7 suspect that there are some, they will send the ship to  
8 quarantine?

9 A. That is right.

10 Q. Can you tell me if among all these  
11 suspected ships any were found to have any contagious  
12 disease, typhus, yellow fever, smallpox, plague, et  
13 cetera? Do you recall that?

14 A. No, I don't recall that. You  
15 see, there are sixty-six pilots, I can only speak for  
16 the ships that I handle.

17 Q. Well, I am sure that if typhus  
18 had been on a ship everyone would have known about it,  
19 smallpox too?

20 A. I am afraid for that information  
21 you would have to ask the Quarantine Doctor.

22 Q. What about the dangers in boarding  
23 ships? How do you board ships here in British  
24 Columbia?

25 A. Up the rope ladder.

26 Q. Have any accidents ever happened  
27 to a pilot in boarding?

28 A. Yes, we have had the ladder  
29 break and the pilot fall off the ladder. One pilot  
30 fell off the ladder off the Fraser River, and fell down







1 and hit his head on the side of the boat, but fortunately  
2 enough they had a rubber tire on the side of the boat  
3 and it didn't affect him too much. He was knocked out  
4 and picked up.

5 Q. Is that an every-day event, or  
6 is that a special event?

7 A. Oh, I would say not, or else  
8 we would never get any insurance. It only happens  
9 occasionally. As a matter of fact our occupation is  
10 classified as a hazardous occupation in the Workmen's  
11 Compensation.

12 Q. Yes, I realize that, Pilot. If  
13 I drive my car I also have danger of accident, but I  
14 don't have an accident every day, and we want to find  
15 out if accidents are frequent?

16 A. No, they are not, because the  
17 pilots are physically fit, and they can look after  
18 themselves.

19 Q. Well, you look physically fit  
20 enough.

21 Now on Page 10 of your brief I should  
22 like you to give me a little explanation on how you  
23 arrive at a certain conclusion?

24 Paragraph 16 reads as follows: "The  
25 Government pays quite a sum of money into the pilotage  
26 services in Canada as a public service and an aid to  
27 navigation, and to trade and commerce of the country,  
28 it is not without reason, although I must say that  
29 this money is actually a subsidy to shipping and not  
30 to Pilots". Now, this is a conclusion which you





1 state. How do you make this conclusion agree with the  
2 fact that you consider yourself self-employed, or an  
3 independent contractor?

4 A. That is right, but you see by  
5 relieving us of the expense of pilot boats, pilot stations,  
6 despatching and all that -- if we were burdened with  
7 that expense, then we would pass it on to the ship.

8 Q. If you could?

9 A. We would have to, or else we  
10 would not have any pilots. If a pilot couldn't make  
11 enough earnings, then you wouldn't have them. So,  
12 in other words if we had to pay for all these boats  
13 and stations then our rates would have to be higher.  
14 So in order to keep our rates lower, if the government  
15 pays, then they are subsidizing not the pilots but  
16 the ships.

17 Q. Well, they are helping pilots?

18 A. No they are not.

19 Q. Well, they are helping you,  
20 because your maximum rate would have a limit to it?

21 A. What maximum rate?

22 Q. Well, the rate which you could  
23 claim for piloting a ship?

24 A. Well, regardless of that --  
25 expenses are not earnings, and the more expenses that  
26 the pilot has, the higher the rate has got to be.  
27 So if the government wants to take some of these  
28 expenses off, then, they are relieving shipping from  
29 paying these expenses.

30 Q. And not you. You consider they







1 are not helping you at all?

2 A. No, they are not. They are  
3 paying so as to keep the pilot rate down. They are  
4 paying the expenses of the pilot boats and stations,  
5 and that falls back again on the ship. Another thing  
6 is that the private pilot boat on this coast which we  
7 have up north charges \$120.00 for the service, and the  
8 government has seen fit to pay half of that. Is that  
9 a subsidy to pilots?

10 A. Now, on Page 11 of your brief,  
11 at the very top you state this:

12 "They are in fact free enterprisers  
13 operating under governmental control but assuming them-  
14 selves the fluctuations of their trade resulting from  
15 variable economic conditions".

16 Now, are there any other factors which  
17 affect your earnings, apart from the variable economic  
18 conditions?

19 A. Well, the thing that affects our  
20 earnings is if the ships don't come into our port, if  
21 we don't get the work. What causes it I wouldn't --  
22 there may be some other reason that they don't come in,  
23 but I wouldn't know what it would be.

24 Q. Now paragraphs 23 and 24, concerning  
25 retirement and expenses. Don't you think it is  
26 also true of several professions that you have to  
27 provide for your own retirement, and defray your own  
28 expenses?

29 A. Well, yes, but it all depends.  
30 The pilot's profession takes him away from his home. If







1 a lawyer, or any profession --

2 Q. All right. You can say lawyers.

3 I have no objection.

4 A. If a lawyer was asked to go --

5 you come out here from Ottawa. Do you pay your expenses  
6 coming out here?

7 Q. We will skip that question. This  
8 is not an investigation into lawyers. But would it be  
9 fair to say that several other professions -- you claim  
10 you are a professional -- several other professions  
11 take the risk of making a living, tied, geared to the  
12 variable economic conditions, and they also provide  
13 for their own retirement funds, and they also pay their  
14 expenses. Isn't that right?

15 A. Well, I would say it is probably  
16 correct that in every profession they have this, but  
17 the thing is --

18 Q. And now I will interrupt you. What  
19 difference do you make between the profession of a pilot  
20 and the other professions in order to claim that a pension  
21 fund, retirement advantages, and expenses should not be  
22 defrayed by the person earning the living? That is what  
23 I want to know?

24 A. Well, you are grouping a lot  
25 together there. You are talking about pension fund.

26 MR. JACQUES: Read the question again,  
27 please?

28 --- (Question read by reporter)  
29

30 Q. I want to find out the basis





1 of this difference which is made, that is all.

2 A. The basis of the difference?

3 Q. Yes?

4 A. As to what? Pension or expenses?

5 Q. Start with pension?

6 A. Well, the pilots in British  
7 Columbia here -- our pension plan has been such a poor  
8 plan that if we had invested the amount of money that  
9 has been taken off by the government -- we don't take  
10 it off, the government takes it off before there is  
11 any thought of turning it over to the pilots -- if we  
12 had that sum invested by ourselves we would probably have  
13 made a better job of it. But because of deficits,  
14 because of all the men that are going off on pension,  
15 the pension fund has been unsound and the benefits have  
16 been not worth paying for. But we still have to pay  
17 for them.

18 Q. Let me put the question in  
19 another way. Do you feel the government should con-  
20 tribute to your pension fund?

21 A. No, I think it should be an  
22 assessment on shipping, and that is what I think it is.

23 Q. On shipping?

24 A. Yes.

25 Q. And not on pilots?

26 A. It could be half and half, but  
27 not more than that.

28 Q. Now, let's come to your expenses.  
29 Most professional people pay their own expenses?

30 A. They pay their expenses and then





1 charge it up to the client.

2 Q. Some of them, not all of them --  
3 travelling expenses?

4 A. That is what we are asking for,  
5 travelling expenses; meals, of course, and hotel.  
6 As a matter of fact, what we are asking for is reasonable  
7 travelling expenses.

8 Q. You wouldn't claim, say, over-  
9 head expenses for keeping an office for the pilots and  
10 things like that?

11 A. No. We might claim a reduction in  
12 income tax for that.

13 Q. Fair enough. Would it be fair  
14 to say that the earnings of pilots have increased in  
15 the past owing to the following factors: increase in  
16 tonnage of ships, increase in draught of ships, if  
17 any, and also increase in number of ships calling at  
18 Vancouver? Is that a fair statement?

19 A. Well, yes, an increase in number  
20 would increase it, and an increase in tonnage would  
21 increase our earnings. Yes, I think that is fair enough.

22 Q. Do you have a payment for draught  
23 here?

24 A. Yes.

25 Q. Bearing this in mind, would you  
26 tell not only numbers but --

27 THE CHAIRMAN: Excuse me. In the  
28 enumeration you made there you named three factors,  
29 but there may be a fourth one, increase in detention.

30 THE WITNESS: You were not specifying







1 these were the only things?

2 Q. No; you may have a detention fee  
3 in harbour?

4 A. Yes. But you didn't mention  
5 anything about detention before?

6 Q. The most important things affecting  
7 your earnings are tonnage, draught and number of ships?

8 A. And detention.

9 THE CHAIRMAN: In the wide sense of  
10 the term.

11 MR. JACQUES: Yes, in the wide sense  
12 of the term, I think these are the three most important  
13 factors.

14 Q. Now, turning to Page 51 of  
15 your brief, Paragraph 2, the small table you have there,  
16 the number of vessels, the number of jobs, the number  
17 of pilots. In view of what I have just said, do you  
18 agree that this table is not exactly showing reality?

19 A. No, I don't agree. I agree that  
20 this table is got out, and I think it gives a picture  
21 of this. I could be corrected if it is proved different,  
22 but as far as I can see, it is correct.

23 Q. Now, out of these three factors  
24 and any other which you wish to add, which would you  
25 say has tended most to increase your earnings over the  
26 past five years?

27 A. Well, I don't think I can answer  
28 that because I never went into it. We know that the  
29 detention and travelling time is considerably higher  
30 these days because there are more northern jobs, and





1 although the Puget Sound jobs are down, we still have  
2 more northern jobs. Of course, I guess our largest  
3 charges are probably on tonnage and draught.

4 Q. In your experience over the  
5 past five years what would you say the trend has been  
6 in ships? Is it ships with deeper draught or the  
7 same draught and increase in number or increase in  
8 tonnage of vessels which has taken place?

9 A. Well, there is considerable in-  
10 crease in tonnage. The draught hasn't increased too  
11 much; maybe two or three feet. But the tonnage has  
12 increased considerably on ships. The ships are bigger  
13 these days. So I think probably the tonnage has been  
14 the biggest increase.

15 Q. The biggest increase?

16 A. Yes, the size of the ship.

17 Q. Are there any limitations -- I  
18 am sure there are -- on the draught of vessels coming  
19 into Vancouver or into your district, I should say?  
20 What is the largest draught you can accommodate?

21 A. Oh, it all depends. We may be re-  
22 stricted in some places according to the tide, but  
23 a 40-foot draught, which we don't get, we take them  
24 into Vancouver.

25 Q. What are these places where you  
26 claim the tide would affect to a great extent the  
27 draught that you could accommodate?

28 A. In the berths and in some of  
29 the harbours; Nanaimo Harbour; for instance.

30 Q. What would be the deepest that





1 you could accommodate there?

2 A. Well, it depends on the tide.

3 You see, we have 14 feet rise and fall of tide in  
4 Nanaimo Harbour. You can take them in at high tide  
5 as long as it is dredged, which is usually 45, 50 feet.  
6 We have only 24, 25 feet of water there.

7 Q. What is the largest draught vessel  
8 which has been accommodated in Nanaimo?

9 A. Oh, I think 30, 31 feet.

10 Q. Do you get that very often?

11 A. Yes. If they are finished loading,  
12 from 27 to 37.

13 Q. That would be the draught?

14 A. Yes. But, of course, you must  
15 not take them out at low tide.

16 Q. Now, in Vancouver what is the  
17 largest that you have accommodated?

18 A. Oh, I would think -- I don't know  
19 if there are any have been 40 feet - 36, 37 feet.

20 Q. What is the largest draught that  
21 you handle in Vancouver?

22 A. Oh, 27 to 30 feet.

23 Q. Would you explain to the Commission  
24 this rotation thing for pilotage north of latitude 50?  
25 You said this morning that you were on rotation for  
26 one month or two months at a time for pilotage north  
27 of 50? Would you care to explain that?

28 A. When you talk about rotation,  
29 in our pilotage district here we have two rotation  
30 lists: we have a rotation list for local jobs, and









1 we also have another rotation list for northern jobs.

2 Q. How does that work?

3 A. When you come back off the job  
4 you go on two rotation lists, when you come back from  
5 the northern job you go on two rotation lists, on the  
6 list for northern jobs and also on the list for local  
7 jobs. On the local rotation list you could go out  
8 again that day; but on the northern rotation list it  
9 usually averages a month, five weeks between jobs.

10 Q. How many trips would you make up  
11 north in one year?

12 A. Maybe eleven, twelve.

13 Q. Eleven or twelve trips a year  
14 up north of 50?

15 A. Yes.

16 Q. Is that average applicable to  
17 you only or to all the pilots?

18 A. Every pilot works in rotation,  
19 every pilot is on the rotation list.

20 Q. Would he have the same average  
21 as you?

22 A. Me personally?

23 Q. Yes. You said you averaged eleven  
24 to twelve trips a year north of 50?

25 A. Are you referring to me as the  
26 Chairman of the Committee now?

27 Q. I am referring to you as a  
28 committee man, and when you are talking about averages  
29 you are talking about averages applicable to all pilots.  
30 Is that clear?





1 A. I may tell you that in the last  
2 few weeks on account of this Commission I have not been  
3 able to take any jobs, not only the northern jobs.

4 Q. Let's say from September of 1961  
5 to September of 1962?

6 A. As long as I am chairman of the  
7 committee, there is one stipulation: if a northern  
8 job comes up and I am on for it, I have the opportunity  
9 of refusing it, once.

10 Q. What is the average number of  
11 times that a pilot goes north of 50?

12 A. I told you.

13 Q. Eleven to twelve; right?

14 A. Right.

15 Q. Is that average applicable to  
16 all pilots or to a certain class?

17 A. No, all pilots. We don't have  
18 any special pilots here, we don't have any class of  
19 pilots or any favourite pilots.

20 Q. Would it be fair to say that owing  
21 to rotation of your various jobs each of the pilots  
22 in the British Columbia District average approximately  
23 the same number of jobs, of types of jobs?

24 A. Except that we do have a little  
25 agreement where we do arrange things a little bit, if  
26 there is a special job comes up. For instance, we  
27 used at one time to say that pilots under five years  
28 we don't put on the big passenger boats, or under ten  
29 years. We don't think we should take a man in his  
30 first or second year and put him on the Canberra. But





1 still the rotation list is not affected much by it.

2 Q. That brings me to the point you  
3 mentioned about the type of vessels which you handle  
4 here. You just mentioned that a young pilot is not  
5 given charge of a large passenger ship?

6 A. We don't say he is not given  
7 charge; we try to keep him off.

8 Q. Is he kept off?

9 A. As a rule.

10 Q. Therefore he is not given charge  
11 of a large ship?

12 A. We think for the good of our  
13 service we do this.

14 Q. How long is he kept on that, say,  
15 special roster?

16 A. It is not a special roster.

17 Q. How long is he kept away from  
18 large passenger ships?

19 A. He is kept away -- it may be  
20 four or five years before he gets on it. But this has  
21 been all changed. When I came on the pilotage service  
22 I couldn't get on the large passenger ships or an oil  
23 tanker because they had special pilots for that, but  
24 now after five years and sometimes even ten years we  
25 don't put them aboard these special jobs. But that  
26 is entirely done amongst ourselves.

27 Q. Who decides, who makes decisions  
28 on that?

29 A. The Supereintendent and in con-  
30 sultation with the Pilots' Committee.







1 Q. So you get together and say so and  
2 so will not be given charge of a large passenger ship;  
3 is that right?

4 A. We don't say anything of the  
5 kind. We just say the Canberra is coming in to-morrow,  
6 so we take one of the men with ten years and who is  
7 closest to the job and put him on it.

8 Q. So when a large passenger ship  
9 is coming in you look at the board --

10 A. I don't look at the board at  
11 all.

12 Q. Would you let me finish. When  
13 I say you, I am not talking about you particularly,  
14 I am talking about the pilots. Someone looks at the  
15 board and sees the names of the pilots; right?

16 A. Yes.

17 Q. The first name is so and so who  
18 has just had his license yesterday?

19 A. That is right.

20 Q. So someone decides not to send  
21 him aboard the large passenger ship coming in. Would  
22 they then look at the second name and find out what  
23 experience he has had??

24 A. That is right.

25 Q. And if he is so and so, ten  
26 years' experience, you say all right, he takes over;  
27 is that correct?

28 A. Yes.

29 Q. Who decides how long this pilot  
30 I mentioned there is kept away from large passenger





1 ships? Who decides?

2 A. Well, in the case of despatching  
3 here, the pilot is home. The only time they might phone  
4 a committee man is if they are in doubt about who to  
5 send. Otherwise they just go down the board. They  
6 might speak to the Superintendent; I don't know. But  
7 it is very seldom they phone us. As long as the man is  
8 not in the first four or five years of his time, he  
9 is the man who goes.

10 Q. Who decides whether it is going  
11 to be four years, or five years or six years? That is  
12 what I want to know?

13 A. Well, it is decided by the pilots,  
14 but we also have to have the Superintendent to agree  
15 with us.

16 Q. What criterion do you use to  
17 decide whether a man should be given charge of a large  
18 passenger ship or not?

19 A. Well, the only thing we do it  
20 for is to try to make sure that the ship is being well-  
21 looked after. We don't think it is fair to a younger  
22 pilot to put him on one of these big jobs, because if  
23 we put one of our junior pilots on one of these ships,  
24 if he had a little accident it may be quite hard on  
25 him; whereas if the senior man is on the same ship and  
26 he has a little accident - it might have happened to  
27 either one, but with the senior man we try to eliminate  
28 it. But if a new man is there they say that he should  
29 not have been there in the first place.

30 Q. I am not trying to criticise this





1 system.

2 A. I don't know what you are trying  
3 to do.

4 Q. I am trying to find out exactly  
5 how it works; who makes the decisions and who decides  
6 whether a young pilot after so many years experience  
7 or after so many jobs has become experienced enough to  
8 take charge of a large passenger ship?

9 A. Well, I don't see -- as far as  
10 I know we have had no trouble. I don't know what you  
11 are so interested in.

12 Q. I want to find out how you do  
13 it, that is all?

14 A. Are you trying to do this in some  
15 other district or something?

16 Q. We might. It might be a good  
17 idea.

18 A. I told you how it was done and  
19 I think myself it is a very good idea. You might not  
20 think so, but I think despatching in British Columbia  
21 District is one of the finest districts in the country.

22 Q. The senior despatching office  
23 speaks highly of your Superintendent, the way things  
24 are handled, and I have been here for several days  
25 and after watching one ship coming up through and  
26 going through all the stages I was quite impressed  
27 by it. Nevertheless, I would still like to know how  
28 do you decide, what prompts you -- not you personally --  
29 but what prompts the pilots to say that it is all right  
30 for so-and-so now to take charge of a large passenger









1 ship?

2 Do you go aboard with him to watch his  
3 work? Is it his record of accidents or lack of accidents  
4 which guides you on that? Is it his experience on deep-  
5 sea ships or coastal ships or handling ships? I don't  
6 know, but I want to find out?

7 A. The best way I know to find out  
8 is to put the Superintendent in this chair here and  
9 ask him.

10 Q. I was given to understand by you  
11 that he was not the only one who decided. It was decided  
12 in conjunction with the Pilots' Committee?

13 A. Only if he wishes to.

14 Q. Has he wished so in the past?

15 A. Yes, he has.

16 Q. Has the Pilots' Committee made  
17 any recommendations concerning that to the Superintendent?

18 A. Yes.

19 Q. What recommendations were made  
20 to the Superintendent in the last case that you had?

21 A. I told you. We made a recommendation  
22 that he use the senior pilots, the fellows with five  
23 to ten years service on these larger ships. If he  
24 doesn't want to do that, he can go and use any man he  
25 wants.

26 Q. That is the only recommendation  
27 you have made to him?

28 A. That is right.

29 Q. And you didn't make --

30 A. We might make a recommendation if





1 it is one pilot.

2 Q. Would you please let me finish.  
3 You didn't make any particular recommendations concerning  
4 one individual? Let us take Joe Blow, not to mention  
5 names. You don't say "don't send him on passenger  
6 ships"? Was that ever said or done?

7 A. I don't think there is any pilot  
8 in the organization that we have said that about. We  
9 might have said it once that it is better to keep that  
10 man off the ship but not to-day. I don't think there  
11 is any man.

12 Q. Fair enough. So to sum up,  
13 among yourselves as a practice with the Superintendent  
14 and the Pilots' Committee it has been decided, and I  
15 think rightly so if you want to know my opinion, not  
16 to send on large passenger ships pilots with less than  
17 five years experience; is that correct?

18 A. Yes.

19 Q. Is that a fair statement?

20 A. Yes.

21 Q. Is that the actual situation?

22 A. Yes, that is right.

23 THE CHAIRMAN: I gather it would be the  
24 same thing also for supertankers or big ships?

25 THE WITNESS: Any specialized business.

26 Q. Now, sir, you sit on this Board  
27 of Examiners of Pilots?

28 A. Yes, I do.

29 Q. You said yes to the question that  
30 you sat on the Board of Examiners?





1 A. It all depends. If I am on  
2 the Committee, Chairman of the Committee, I do.

3 Q. But you do sit?

4 A. Sometimes.

5 Q. How many times have you had  
6 occasion to sit on the Board of Examiners?

7 A. I think three or four.

8 Q. When was the last time? Was it  
9 recently?

10 A. Yes. Just February -- no, Nov-  
11 ember.

12 Q. You were there as a member of  
13 the Pilots' Committee?

14 A. Yes.

15 Q. Selected by the Committee; is  
16 that right?

17 A. Well, not selected by the  
18 Committee necessarily, I think I was selected by the  
19 Superintendent as a matter of fact, being Chairman of  
20 the Committee.

21 Q. What do you consider your function  
22 is on that Board of Examiners?

23 A. What do I consider my function  
24 is?

25 Q. On the Board of Examiners?

26 A. Well, to examine the candidates  
27 as to local knowledge.

28 Q. Local knowledge?

29 A. Yes.

30 Q. Who prepares the questions for the







1 examination papers given your candidate on local  
2 knowledge?

3 A. Local knowledge examination is  
4 oral.

5 Q. Are the questions prepared in  
6 advance?

7 A. Yes, there were questions on  
8 different things prepared in advance but I think it was  
9 done by the Superintendent and Assistant Superintendent.

10 Q. Questions on local knowledge?

11 A. No, local knowledge are oral.

12 Q. I am asking you about local  
13 knowledge. Do you prepare your questions in advance?

14 A. No, sir.

15 Q. So there is no record of the  
16 questions which have been put to the candidates?

17 A. Records?

18 Q. Yes?

19 A. Records sent in on it?

20 Q. No, I mean if you are going to  
21 put questions to a pilot on this oral examination, the  
22 questions may have been written down by you beforehand,  
23 I don't know, maybe a half hour or a week before the  
24 examination and kept for record purposes. I was just  
25 wondering if it is the case?

26 A. No. I could explain. Do you want  
27 me to explain how the oral examination is handled?

28 Q. Yes?

29 A. The candidate is in there and  
30 we ask him -- we say, now, you are put aboard a ship at





1 Port Moody; you proceed to take this ship to sea  
2 and tell us all the depths of water in certain spots,  
3 all the aids to navigation you would pass, and any  
4 peculiarities that you would meet on the way. You take  
5 this ship from Port Moody to sea, giving us all the  
6 information, and he proceeds to do that.

7 The pilots on board check up on him  
8 to see if he is doing the right thing or if he misses  
9 anything or if he knows what he is doing, and that  
10 way that is part of the oral examination.

11 Q. Do you vary your questions from  
12 time to time?

13 A. Yes.

14 Q. It is not always Port Moody?

15 A. If we don't vary our questions,  
16 the candidate will go out and tell the other candidates  
17 what it is.

18 Q. One more question: how long does  
19 the examination last?

20 A. Well, it depends on how many  
21 candidates.

22 Q. For each one?

23 A. We can usually do about three  
24 a day.

25 Q. Three a day? That would be  
26 about two hours each?

27 A. Yes. Longer than that.

28 Q. No prompting from the audience.

29 A. This is my Superintendent here.

30 Q. I know, but his turn will come.





1 A. I have seen some of you fellows  
2 getting some information yesterday.

3 Q. But not the witness.

4 A. No, I am sorry.

5 Q. This two-hour period, does that  
6 cover the whole examination?

7 A. That is just the oral examination.  
8 They do a written exam besides that, and they do a  
9 written exam and a rules of the road and oral exam.

10 Q. Two hours is just the oral  
11 exam?

12 A. It is over two hours mostly.

13 Q. Mostly over two hours?

14 A. Yes.

15 Q. And this oral exam, does that  
16 cover only local knowledge? Does it cover also rules  
17 of the road?

18 A. Rules of the road are given just  
19 before he is given the oral.

20 COMMISSIONER RENWICK: This ship to  
21 Port Moody and back on the examination, that is a  
22 physical ship; it is not a hypothetical ship you are  
23 taking?

24 THE WITNESS: He just explains to us  
25 what he would do, and even has to give signals off the  
26 bridge, and tell what the signals are and carries on as  
27 if he was taking the ship to sea.

28 Q. You give him the draught and  
29 speed of the ship?

30 A. Yes, and tonnage and size and







1 draught and tide, and he has all that the same as you can  
2 get out of your books. He just actually goes through  
3 what a pilot would go through doing the job.

4 Q. If the candidate is successful  
5 he gets a probationary license; is that a fact?

6 A. When a vacancy occurs.

7 Q. If he is successful?

8 A. If he is successful, yes.

9 MR. LANGLOIS: It is not a probationary  
10 license I don't think.

11 THE WITNESS: Yes, the first license  
12 you get is a probationary license here.

13 MR. JACQUES: Article 17 of the by-law.

14 MR. LANGLOIS: Not after he passes  
15 the exam.

16 THE WITNESS: He doesn't get that until  
17 he is taken on.

18 MR. LANGLOIS: There is a misunderstand-  
19 ing.

20 Q. We are talking about pilots and  
21 presume the fellow who passes the exam, since we are  
22 dealing with pilots, has become a pilot. He becomes a  
23 pilot with a probationary license?

24 A. We have eleven waiting.

25 Q. He becomes a pilot with a probation-  
26 ary license?

27 A. Not until he gets his job.

28 Q. When he gets his job he becomes  
29 a pilot with a probationary license; is that right?

30 A. Yes, you are right.





1 MR. LANGLOIS: It is cleared up now.

2 Q. What does he do as a pilot with  
3 a probationary license?

4 A. Well, the first month he goes on  
5 he does nothing but ride around with other pilots making  
6 shifts in Vancouver Harbour, and then he goes to Victoria  
7 and goes to some of the Island ports just as watching  
8 the other pilot, and then he goes to Port Alberni and  
9 he probably might go to some other port that he might  
10 not be too familiar with, and after the first month  
11 he is on his own.

12 Q. How much time does he spend  
13 approximately in each of the places you have just men-  
14 tioned?

15 A. About two weeks in Vancouver,  
16 a week in Victoria and another week on the islands.

17 Q. How many jobs would he do in that  
18 time?

19 A. Sometimes -- in Vancouver I guess  
20 they do three or four trips a day or maybe more.

21 Q. During that time does he do the  
22 actual work or does he stand and watch?

23 A. No, we don't allow him to do the  
24 work for the man that is responsible for doing the  
25 job, he does it himself, and the other man watches.

26 Q. He just watches?

27 A. Yes. It is just to get him  
28 familiar with the larger ships, that is all.

29 Q. Now a question of opinion, sir:  
30 what would you think of an apprenticeship system for





1 pilots?

2 A. On the B. C. Coast?

3 Q. On the B. C. Coast, yes. Do you  
4 think it would serve any purpose?

5 A. I don't think it would be a very  
6 good system. It might come that it should be established,  
7 but as long as we can get masters off tankers and the  
8 coastal boats and some of the larger tugs towing large  
9 barges, I don't think it is necessary. They get better  
10 training on those boats than they probably would as  
11 an apprentice.

12 Q. Fair enough.

13 THE CHAIRMAN: I gather there are no  
14 more coastal boats now?

15 THE WITNESS: I wouldn't say there is  
16 no more. A lot of the passenger boats -- there is still  
17 freighters and tankers and large barge towing tugs  
18 that go practically all over the coast. They tow these  
19 log barges into the mills and one thing and another,  
20 and it is very good experience.

21 THE CHAIRMAN: There is still a source  
22 there?

23 THE WITNESS: Yes. If it comes a day  
24 we might have to have some kind of apprenticeship, but  
25 as far as to-day is concerned, I think it is better  
26 the way it is.

27 Q. I heard you mention that you had  
28 eleven mariners waiting to become pilots. Is that  
29 exact?

30 A. Yes, we are expecting to be able







1 to take them on.

2 Q. At any moment? I see that you  
3 mention you requested seven in your brief?

4 A. Yes.

5 Q. So it is just a matter of time?

6 A. It is just a matter of time, that  
7 is right.

8 Q. How long have they been waiting  
9 for a job as pilots?

10 A. They were passed in November.

11 Q. November, 1962?

12 A. Yes. We always like to have an  
13 available list. We never know when we will need them.  
14 We like to have them on the available list.

15 Q. Eleven sat for the exams in  
16 November, 1962?

17 A. Eleven passed.

18 Q. In November, 1962?

19 A. Yes, November I think.

20 Q. And previous to November, 1962,  
21 there was no one waiting for a job?

22 A. No. The last ones that were on  
23 the last waiting list were taken in.

24 Q. How many were there?

25 A. How many taken in?

26 Q. Yes?

27 A. Well, they are taken in as needed,  
28 you know.

29 Q. How many did you take in before  
30 November, 1962, during 1962? You said you had a waiting





1 list before November, 1962, and that you took them in?

2 A. There might have been one last  
3 man left, but he was taken in so then we established  
4 another list.

5 Q. You started another list? These  
6 eleven men, in what trade were they? Were they tugboat  
7 mostly or deep sea?

8 A. Well, it varies. I probably  
9 could give you an idea from the list I have here. They  
10 were all masters on the coast anyhow. I can tell you  
11 that. We have one master from the Northland Navigation  
12 Company.

13 Q. Is that deep sea or coastal?

14 A. We don't take deep sea masters in  
15 here unless they have coasting experience. They have  
16 to be masters -- three years on the coast.

17 Q. I realize that, pilot, but you  
18 mentioned a shipping company?

19 A. That is the boat to Rupert.  
20 Freighters. Another one from Standard Oil Company,  
21 coasting tanker.

22 Q. No names, please?

23 A. Master of a freighter on the coast  
24 here. The next man is a towboat master, but also with  
25 deep sea experience, previous deep sea experience.

26 Another one off the passenger boats.  
27 with the C.P.R. Ferries for quite a while, and another  
28 one off Imperial Oil tankers. The next one was off  
29 towboats, also with experience on other boats.

30 The next man was a towboat man. I don't





1 know what his previous experience is. The next man  
2 is a passenger boat man, also a freight boat man on  
3 the coast. The next one is a towboat man. This man  
4 also has deep water experience. The next man is a tow-  
5 boat man with deep water experience too.

6 Q. Now I see you have several men  
7 with towboat experience?

8 A. Yes.

9 Q. In your experience has there been  
10 a difference in the ability to handle large ships  
11 by pilots who had previous tug boat experience or deep  
12 sea experience or coastal experience? Has there been  
13 a noticeable difference in the way they are handled?

14 A. As a matter of fact I don't think  
15 anybody could pick men out of different ships and say he  
16 is not as good as this man because this man -- piloting  
17 is strictly an ability of the man himself whether he  
18 has been on a small ship or big ship. He is on his  
19 own in docking the ships, and we have had some fellows  
20 who have been on nothing but towboats, and in the  
21 pilotage service they have been just as good pilots as  
22 you can get anywhere.

23 Q. So whether he came from a deep  
24 sea ship after trading along the coast or from a tugboat  
25 there would be no practical difference in the way ships  
26 are handled by pilots?

27 A. There is only one thing, and  
28 this is my own opinion: I think a master, a deep  
29 sea master, in my opinion, would probably take longer  
30 to be a coasting man than a coasting man would be to be









1 deep-sea master for the simple reason a coasting man  
2 is used to running into headlands and up narrow channels  
3 and the deep sea man, as soon as he gets near these  
4 things, he has to take precautions and probably gets  
5 a pilot.

6 Q. In your opinion if I may sum up,  
7 the coasting man or a tugboat man might in fact be  
8 better equipped to become a good pilot rapidly than  
9 a deep sea man?

10 A. That is not only my opinion; that  
11 is a fact.

12 Q. Well, that is a difference of  
13 whether it is a fact or an opinion --

14 COMMISSIONER SMITH: I understand in  
15 the ports of California that the only pilots they employ  
16 there are ones holding deep sea licenses?

17 THE WITNESS: That is quite right,  
18 and probably in harbour piloting that might be quite  
19 true, but you see we are coast pilots, and a deep water  
20 man taking a ship into a harbour and docking it does  
21 not have to learn too much other procedure. But  
22 running coastwise and running deep sea is two different  
23 things.

24 Q. When I talk about pilots, it is  
25 restricted to B. C. pilotage, not to any other type of  
26 pilotage. We will get back to Puget Sound --

27 A. We don't run to Puget Sound.  
28 That is outside of our district.

29 Q. Just a minute. You mentioned  
30 this morning that you were penalized for apparently





1 refusing to go down to Puget Sound and board ship there  
2 and take over at a changeover point which you pointed  
3 out on the chart. Would you explain how you were  
4 penalized, and why you were penalized? I had difficulty  
5 in understanding that.

6 A. Well, we had difficulty in  
7 understanding it too, but we were penalized by the  
8 Minister of Transport.

9 Q. How?

10 A. Because we refused to give this  
11 service he said that he was going to establish a  
12 boarding station within the district so that we could  
13 get off at this boarding station, and then a ship would  
14 go itself the rest of the way in the district, and  
15 according to the law it is the wrong thing to do, because  
16 the compulsory payment of pilotage is supposed to be  
17 all over the district, and he is letting these ships  
18 travel through the district without paying pilotage.  
19 We lost revenue through it, and that is penalizing, when  
20 you take a man's earnings away from him, you are  
21 penalizing him.

22 Q. And you seem also to think that  
23 this was done, my expression may be a little strong,  
24 to get even with you?

25 A. We have very good reasons to  
26 believe it, sir.

27 Q. You believe that?

28 A. Yes sir.

29 Q. You don't believe that it was to  
30 try to settle a difficult problem?





1 A. No, I think it was, just it was  
2 done, they said these pilots are I think kind of smart  
3 by doing this, and I am just going to show them that  
4 they aren't so smart. As a matter of fact I spoke to  
5 the Minister myself on this, and explained to him what  
6 happened, and he said "I am sorry Captain Gosse, I am  
7 sorry Captain Gosse", but that didn't do much good.

8 Q. Now, would you consider this  
9 to-day an important problem?

10 A. Which?

11 Q. The Puget Sound problem?

12 A. No sir. According to B. C. pilots  
13 it is not a problem. We would like to see it settled,  
14 we would like to see some way to settle it, but as  
15 far as we are concerned we are quite happy in getting  
16 off at our own boarding station. If it can be settled  
17 we will gladly go through with the ships, but if it  
18 never happens and we get off at our boarding station  
19 we will probably be just as well off.

20 Q. And all the pilots will be happy  
21 with that situation?

22 A. All the B. C. pilots?

23 Q. Yes? That is the pilots I am  
24 talking about?

25 A. Yes, the majority I would say.

26 Q. For history's sake, can you tell  
27 me how this quarrel started, the Puget Sound quarrel?

28 A. What do you mean, the history?

29 Q. For the sake of history?

30 A. I am not much of a historian.









1 Q. No, look Pilot, how did the  
2 quarrel start?

3 A. How did it start?

4 Q. Yes?

5 A. Whose quarrel?

6 Q. Well, you refused to go down?

7 A. Well, we didn't quarrel with the  
8 Puget Sound pilots. We quarrelled with the shipping  
9 people.

10 Q. How did it start?

11 A. Because in the first place we  
12 asked for an increase in the rate for going down there.

13 Q. Was that granted?

14 A. Yes, but the Chairman of the Pilots'  
15 Committee at the time, which was not me, he said "what about  
16 these other rates we are asking for"?

17 Q. Which other?

18 A. There were some other rates that  
19 they had requested at the time.

20 Q. Which rates?

21 A. Some other increase in rates.

22 Q. Which increases?

23 A. Well, I would have to dig up and  
24 find out for you, but anyhow they asked for other  
25 increases in rates which were not to be granted, so the  
26 Chairman of the Committee at the time said -- he didn't  
27 do it on his own. The pilots said the same, and probably  
28 gave him the okay to go ahead on it, but anyhow he  
29 turned to the shipping and said "If you don't give us  
30 these other rates, then we are not going to give you this





1 extra service".

2 Q. All right. Would you find out for  
3 me what other rates and increases were requested and  
4 refused?

5 A. Well, I don't think it has any  
6 part to do with it.

7 Q. Well, we will decide whether  
8 it has anything to do with it.

9 A. I would sooner you ask somebody  
10 else. The man that was Chairman of the Committee has  
11 since deceased, and maybe the Chamber of Shipping could  
12 give you that.

13 THE CHAIRMAN: Maybe Mr. Jacques and  
14 Mr. Langlois will get together on that and decide who  
15 can give this information.

16 ---A short recess.  
17

18 Q. Now, on the subject of California.  
19 How many trips do pilots make there a year, roughly?

20 A. We go to California sometimes  
21 for Ocean Falls, Port Alice, and also Port Edward. There  
22 are three different trips there. I would imagine that  
23 probably 14 to 16 --

24 Q. Times a year?

25 A. Yes.

26 Q. Is that for the whole group of  
27 pilots?

28 A. Could I just consult with --

29 Q. If you don't know the answer, or  
30 if you think that another person would be able to get





1 the answer, just tell me that so and so is able to give  
2 the answer, and then we will put him on the stand.

3 A. Well, if you want me to answer  
4 the question I think in all fairness that I should consult  
5 with one of the men that assisted me in making this  
6 brief out.

7 Q. Well, you tell us and we will  
8 have him take the stand?

9 A. My answer is 14 to 16.

10 Q. Fourteen to 16 times a year. And  
11 you say that some pilots do not want to go down there,  
12 is that correct?

13 A. That is correct.

14 Q. How many of them refuse to go  
15 down there?

16 A. There is none of them. They  
17 can't refuse.

18 Q. They do not refuse?

19 A. They haven't got the privilege  
20 to refuse.

21 Q. So they just say "I would rather  
22 not go"?

23 A. As a matter of fact some of them  
24 would sooner trade their job with some other pilot if  
25 they could.

26 Q. Does it happen that jobs are  
27 traded?

28 A. It could be.

29 Q. But does it happen?

30 A. It has happened, yes.







1 Q. Does it happen frequently?

2 A. No.

3 Q. How many times a year, roughly?

4 A. What?

5 Q. That jobs are traded, for

6 California jobs, mind you, not any other?

7 A. I don't know. It might happen

8 anytime. It might not happen at all, and it might

9 happen once a year.

10 Q. Now sir, I was advised that the

11 pilots of the B. C. District serve roughly 32 ports.

12 Is that correct?

13 A. That is right.

14 Q. Thirty-two ports?

15 A. That is right.

16 Q. This is going to be very tedious

17 for you, but I think I have to do it. Would you list

18 those thirty-two ports?

19 A. I think they are listed in this.

20 Q. In the diagram?

21 A. On Page 2.

22 Q. Shown on Page 2?

23 A. Most of them are listed there

24 anyhow. I think there is 30 there.

25 Q. Well anyway thirty is still

26 a fair number of ports.

27 A. It is pretty close.

28 Q. I will ask you. If you cannot

29 answer now, don't be afraid. You can have the time to

30 prepare the answer.





1                   What is the length of jobs to each  
2 of these ports? Let us take for instance Beavercove, the  
3 first one. How many hours piloting would it involve,  
4 roughly?

5                   A.     Hours piloting?

6                   Q.     Yes?

7                   A.     Well, it could be four hours,  
8 three or four hours.

9                   Q.     From what point to what point?

10                  A.     But that is only piloting from  
11 say -- well, it would probably be a little more than  
12 that, five hours from Cape Scott into Beavercove.

13                  Q.     And where would you board your  
14 ship?

15                  A.     Triple Islands.

16                  Q.     And how long would it be from  
17 boarding station to the point where you start piloting?

18                  A.     About 8 to 10 hours.

19                  Q.     And how many hours travelling  
20 would you have from Vancouver to Triple Island?

21                  A.     Well, you would have the plane  
22 fly to Prince Rupert. Then you have to go out in  
23 the pilot boat from Prince Rupert to Triple Island.

24                  Q.     How long would that take?

25                  A.     The plane I think is about three  
26 hours to three and a half hours, but by the time you  
27 get into Prince Rupert you have to get the ferry there.  
28 It would probably be five hours before you got to  
29 Prince Rupert. Then, when you get to Prince Rupert,  
30 it all depends upon what time a ship arrives at Triple





1 Island. He might have to go up there a day ahead of  
2 time.

3 Q. What would guide you when you say  
4 you might have to go up there a day ahead of time?

5 A. Because there is only one plane  
6 running, and if a ship is coming in the next day you  
7 have to go up the night before.

8 Q. Now, do you feel up to going  
9 through this list with the same question?

10 A. I am used to being on the spot.

11 Q. How about Britannia?

12 A. Britannia, it all depends where  
13 you leave to go to Britannia from. If you pick the  
14 ship up off Victoria for Britannia, it would probably  
15 be seven or eight hours run, on a fast ship.

16 Q. Would you stay at Britannia with  
17 the ship?

18 A. Well, no matter what you did,  
19 Britannia is a port where the expenses are borne by  
20 the pilot.

21 Q. Just the same, I am interested  
22 in knowing whether you would stay with the ship?

23 A. Well, it all depends. Britannia  
24 is just up Howe Sound. There is a bus runs down to  
25 Squamish --

26 Q. Normally would you come back  
27 to Vancouver?

28 A. If the ship was going to be  
29 there more than a day's work, then we would come back.

30 Q. Is it more frequent that you







1 come back to Vancouver?

2 A. From there?

3 Q. Yes?

4 A. Yes it is.

5 Q. You seldom stay in Britannia  
6 waiting for the ship?

7 A. That is right. The wharf there  
8 is not a very good wharf, and sometimes they have to  
9 turn a ship around say, and sometimes they have to have  
10 a tug to hold her on the dock, and then the pilot  
11 has to stay with her.

12 Q. And is he paid detention there?

13 A. Yes.

14 Q. Now, the next one, you pronounce  
15 it for me, please?

16 A. Chemainus.

17 Q. Thank you. How many hours piloting  
18 to reach Chemainus?

19 A. From Vancouver to Chemainus, or  
20 from where?

21 Q. Well, from Vancouver. I under-  
22 stand that most of the pilots are stationed here?

23 A. You could go from Vancouver,  
24 Victoria, Crofton, or any other port to Chemainus.

25 Q. Well, say from the sea?

26 A. About five hours, providing you  
27 could dock on arrival at Chemainus. If you don't get  
28 in there before eleven at night you can't dock till  
29 morning.

30 Q. Why?





1 A. Because there are no line men to  
2 take your lines on the dock.

3 Q. And from Vancouver?

4 A. Well, seven or eight hours.

5 Q. Piloting?

6 A. But there again you are limited  
7 to docking. Sometimes by arrangement you can dock after  
8 eleven o'clock, but otherwise you anchor and go in  
9 in the morning.

10 Q. And Victoria?

11 A. From Victoria about five hours.

12 Q. Would you stay with the ship in  
13 Chemainus, or would you come back?

14 A. Not as a rule.

15 Q. You would come back to Vancouver  
16 or other bases?

17 A. Yes.

18 Q. Now Cowichan?

19 A. From Victoria you could make  
20 Cowichan Bay probably in four to four and half hours.  
21 There again you wouldn't stay with the ship, because  
22 there is a good connection between there and Victoria  
23 by bus.

24 Q. So you would come back right  
25 away?

26 A. Yes, we very seldom stay with  
27 them. Sometimes we do, if it is going to Chemainus and  
28 one day's work, then shifting to Crofton, we would stay  
29 there.

30 Q. How about Crofton?





1 A. It is about the same as Chemainus,  
2 practically the same hours, the same thing would apply.

3 Q. Duncan?

4 A. Duncan. That is not a port.

5 Q. Duncan Bay?

6 A. Yes, that is north of 50. That  
7 is up above the Campbell River. That is a two pilot  
8 job, and it depends on what the ship is. Sometimes they  
9 keep the pilot by the ship.

10 Q. So if the ship were coming from  
11 sea where would you board?

12 A. Off Victoria.

13 Q. The two of you?

14 A. Yes.

15 Q. And how long would it take to  
16 reach pilotage waters?

17 A. You are in pilotage waters.

18 Q. You go right through pilotage  
19 waters?

20 A. The fairway buoy off Victoria,  
21 that is our boarding station.

22 Q. And you wouldn't go out to sea  
23 again?

24 A. No, we would go up inside.

25 Q. How long would it take you to go  
26 up then?

27 A. It would depend on the speed of  
28 the ship probably. I think the Duncan Bay takes around,  
29 I would say ten hours, or something like that.

30 Q. With an average speed ship. Would







1 you say average speed is 14 knots, the ships you handle  
2 here?

3 A. Yes, somewheres around that.

4 Q. And would you stay with the ship  
5 in Duncan Bay?

6 A. They stay if the ship -- that ship  
7 usually loads up in a day, and they usually keep the  
8 pilots by. They could dismiss them.

9 Q. Is it more frequent that you  
10 stay there?

11 A. Yes, more frequent.

12 Q. Fraser Mills? Harmac, Where is  
13 Harmac?

14 A. Over by Nanaimo. It is about  
15 the same distance from sea as it is to Vancouver, about  
16 84 miles, the same as Nanaimo.

17 Q. How long would that take you?

18 A. Depending on the speed of the  
19 ship, anywhere from 6 to 8 hours.

20 Q. Would you stay there with the  
21 ship?

22 A. No, very seldom, unless she is  
23 going out that day.

24 Q. You would come back to your base?

25 A. Yes, because Harmac is just out-  
26 side Nanaimo, and we have six pilots stationed at  
27 Nanaimo. Harriet Harbour, that is the new ore dock  
28 up in the Queen Charlotte Islands. It is serviced by  
29 Japanese ships. A ship coming in there has to pick  
30 up the pilot at Triple Island, go into Prince Rupert,





1 get clearance and doctor's inspection, come out of Prince  
2 Rupert back to Triple Island, and then the master takes  
3 her from Triple Island to the entrance of Harriet Harbour  
4 and the pilot takes her in.

5 Q. So that is quite involved. If  
6 you were assigned to a ship going to Harriet Harbour,  
7 you would leave Vancouver and report to Triple Island?

8 A. You would go up to Prince Rupert.

9 Q. And board the ship at Triple  
10 Island?

11 A. Right.

12 Q. How long would that take you?

13 A. Three and a half to four hours.  
14 to go out in the pilot boat, and if the ship is on time  
15 you have to take her from there into Prince Rupert Harbour.

16 Q. How long would that take?

17 A. Oh, three and a half hours.

18 Q. And you would wait there? You  
19 would get detention?

20 A. Stay on the ship until the doctor's  
21 inspection and the clearance is all made out, and then  
22 take her out again.

23 Q. That is another four hours?

24 A. Yes, and then the master takes  
25 her down until he gets to the entrance of Harriet Harbour,  
26 and then he calls the pilot again.

27 Q. You take her in and dock her?

28 A. Yes.

29 Q. And you stay with the ship there  
30 I imagine?





1 A. Yes.

2 Q. What is the average length of  
3 time that the ship stays in Harriet Harbour?

4 A. Oh, I think they figure on loading  
5 the ships in about 18 to 20 hours.

6 Q. A day?

7 A. Yes.

8 Q. And what happens then? Do you  
9 take the ship out?

10 A. Well, I think it is more likely  
11 it is two days in there.

12 Q. You take the ship out, and  
13 what happens then?

14 A. Take the ship back to Triple  
15 Island and back to Rupert for clearance.

16 Q. And you leave the ship at Triple  
17 Island and go back to your home base?

18 A. Yes.

19 Q. How long would it take you from  
20 Triple Island to Harriet Harbour?

21 A. About 8 to 10 hours steaming.

22 Q. And the next one is Kitimat?

23 A. You are not going to look for  
24 a pilot's license here, are you?

25 Q. We want to find out what your  
26 duties are, and these are your duties. We want to know  
27 the details?

28 A. Ships going to Kitimat mostly  
29 are aluminum ships, taking out aluminum. They pick  
30 up a pilot at Cape Mudge, two pilots, and then the pilot







1 on board the ship, he doesn't do anything unless some  
2 of the masters might call him to take them through  
3 Scott Passage. But they will mostly go through there  
4 themselves. It is a narrow passage but not very long.  
5 So then you proceed up to McInnes Island and the pilot  
6 takes over at McInnes Island.

7 Q. How long does it take to go from  
8 Cape Beale to McInnes Island?

9 A. It is a good days' steaming.

10 Q. And then you take over. How  
11 much time would you spend piloting there?

12 A. It is 120 miles to Kitimat. It  
13 depends on the speed of the ship. If you can dock on  
14 arrival, it might be ten hours, twelve hours.

15 Q. And then you stay with the ship?

16 A. Sometimes. Right now we have  
17 a ship up there at the loading berth and another one  
18 at anchor. If you wish to get rid of the pilot because  
19 it is going to be at anchor for a while and the master  
20 says it is not a safe anchorage and the pilot says  
21 all right, he will turn it over to the master as long  
22 as the master signs it that he is not to blame.

23 Q. What about facilities from Van-  
24 couver to Kitimat, transportation facilities?

25 A. Well, you have to go from  
26 Kitimat to Terrace and board a plane and fly home.

27 Q. How long does that take you?

28 A. It takes a couple of hours by  
29 bus to Terrace and then about three hours flight from  
30 there.





1 Q. So the pilot would request another  
2 pilot to leave?

3 A. Yes. In the wintertime the  
4 service is not too reliable.

5 Q. Does it happen very often?

6 A. In the wintertime -- I was coming  
7 down from Terrace one time and landed at Port Henry,  
8 and we were there for two and a half days; we couldn't  
9 fly out.

10 Q. Is that a regular occurrence?

11 A. No, but it can happen.

12 Q. When you take the ship out from  
13 Kitimat where do you leave the ship?

14 A. If she is going back for another  
15 load she takes the pilot back to Cape Beale.

16 Q. Are the pilots always left at  
17 Cape Beale?

18 A. She may be going into Vancouver.

19 Q. The next one, Ladysmith?

20 A. Ladysmith used to be a coaling  
21 port. Now they load logs there. There is no dock  
22 there.

23 Q. How many hours pilotage?

24 A. Five or six hours, you figure.

25 Q. Do you stay with the ship there?

26 A. No. Those lower island ports  
27 have good connections by bus.

28 Q. Nanaimo is the same as Ladysmith?

29 A. Yes. Nanoose Bay is an anchorage  
30 for loading logs. There again you can get the bus.





1 Q. What would be the number of hours  
2 piloting there from the sea?

3 A. About the same.

4 Q. Now, Ocean Falls?

5 A. It depends on the ship. She may  
6 go inside or outside.

7 Q. Let's say from Vancouver?

8 A. A day and a half.

9 Q. Continuous pilotage?

10 A. Yes.

11 Q. Now we are going to Ocean Falls  
12 from the sea?

13 A. The boarding station at Cape  
14 Beale would be the one.

15 Q. Two pilots or one pilot?

16 A. Two pilots as a rule.

17 Q. How long would it be from Cape  
18 Beale to wherever you take over?

19 A. Going in there we take over at  
20 Cape Scott.

21 Q. You refer to a lighthouse at  
22 the northwestern tip of Vancouver Island?

23 A. Yes.

24 Q. Now, how long is it from Cape  
25 Scott into Ocean Falls?

26 A. It could take anywhere from,  
27 I would say, nine hours to twelve hours. It could take  
28 more.

29 Q. And would you stay with the ship  
30 at Ocean Falls?







1 A. It all depends. If they are going  
2 to be there probably two days you would stay, but  
3 they might dismiss you. There is not very good trans-  
4 portation out of there. The only transportation is by  
5 plane.

6 Q. Then as the more frequent occurrence  
7 would you stay there or leave?

8 A. I think more frequently we stay  
9 there.

10 Q. You stay there more often than  
11 you leave?

12 A. Yes.

13 Q. And you board off at Cape Beale?

14 A. A lot of these ships go down  
15 from Duncan Bay from there.

16 Q. What would be the hours piloting  
17 to go down to Duncan Bay?

18 A. Oh, probably twenty-four hours.

19 Q. And you still have two pilots  
20 on board?

21 A. Yes.

22 Q. Port Alberni?

23 A. Port Alberni, if she is coming in  
24 from sea you board off at Cape Beale, and then it is  
25 about twenty-five, twenty-six miles from there.

26 Q. Would that be two hours?

27 A. You can't do it in that. You have  
28 the log booms there. If you do it in three hours,  
29 that is quite good.

30 Q. Does the master take over at





1 the bridge?

2 A. Yes.

3 Q. You take over at Cape Beale?

4 A. Yes.

5 Q. How long would it be from the  
6 boarding station at Victoria to the boarding station  
7 at Cape Beale?

8 A. About 50 miles.

9 Q. About three and a half to four  
10 hours steaming?

11 A. Yes.

12 Q. There would only be one pilot  
13 then on board?

14 A. Yes.

15 Q. And from Port Alberni I imagine  
16 you don't stay with the ship, you return to your base?

17 A. Mostly, yes.

18 MR. LANGLOIS: Mr. Jacques, would you  
19 allow a question?

20 MR. JACQUES: Yes.

21 MR. LANGLOIS: Do you stay on board  
22 a ship whenever requested to do so by the master?

23 THE WITNESS: Yes.

24 Q. How often are you requested to  
25 stay on board the ship? Is it more frequent than the  
26 other occurrence when you leave the ship?

27 You refer to all ports?

28 MR. LANGLOIS: Yes.

29 THE WITNESS: You see, I have been  
30 saying you stay by the ship. If the ship is going to





1 stay there for five days and the master requested it,  
2 we would probably have to stay with her. We don't do  
3 it on our own. Either the agent tells you or the master.

4 Q. I realize that, but it is important  
5 for us to know if you stay with the ship more often than  
6 you leave the ship?

7 A. Well, in some ports we do and  
8 in some ports we don't.

9 Q. We would like to know which is  
10 which?

11 A. Which ports?

12 Q. Yes?

13 A. Well, I have told you what ports  
14 we usually stay by and what ports we usually don't.

15 Q. On the evidence you have given  
16 in these ports, you have given me what happens generally?

17 A. Yes, to the best of my knowledge.

18 Q. That is fair enough. Now, Port  
19 Edward?

20 A. Port Edward is just in behind  
21 Prince Rupert there. There is a pulp dock there, a pulp  
22 mill.

23 Q. So what would apply to Prince  
24 Rupert would apply to Port Edward?

25 A. Yes.

26 Q. Port Alice?

27 A. That is another pulp dock. If  
28 the ship is going to be in there for a day or two they  
29 usually keep the pilot by.

30 Q. If the ship comes from sea you







1 board at Cape Beale?

2 A. Yes.

3 Q. When do you start piloting?

4 A. Getting to the entrance.

5 Q. How long does it take from Cape  
6 Beale to Port Alice?

7 A. Oh, about six to eight hours.

8 Q. How long is it to go into Port  
9 Alice?

10 A. About three hours.

11 Q. And do you stay with the ship in  
12 Port Alice?

13 A. If she is not going to be more  
14 than two days, we stay with it.

15 Q. And again which is the more  
16 frequent occurrence? Do you stay or do you come back?

17 A. I wish I knew how much these  
18 ships loaded all the time. I would say we more frequently  
19 stay.

20 Q. And Port McNeill?

21 A. Well, right now it is not being  
22 used too much. They used to load logs in there, and  
23 then they loaded iron ore there. I don't know if it  
24 is being used much there now.

25 Q. And Port Mellon?

26 A. Port Mellon is up Howe Sound,  
27 and it is the same distance from Victoria. Well, it  
28 is practically, we will say - yes, practically the  
29 same distance from Vancouver. There again if the  
30 ship is going to be there a day the pilot stays with





1 it, urtherwise he comes home.

2 Q. And Port Moody I understand will  
3 be the same?

4 A. Yes. It is up at the north end  
5 of Vancouver, the east end of Vancouver.

6 Q. And the next one - you pronounce  
7 it for me?

8 A Port Tahsis. That is a lumber  
9 loading dock.

10 Q. That is on Vancouver Island,  
11 entrance of Port Tahsis?

12 A. About five or six hours

13 Q. How many hours piloting would  
14 you have?

15 A. About two and a half to three  
16 hours.

17 Q. Would you stay with the ship  
18 there?

19 A. More often than not, yes.

20 Q. How long do ships usually stay  
21 there?

22 A. Well, some -- you don't know  
23 what they are going to load. They load part-cargoes.  
24 there. As a matter of fact, we have had lots of times  
25 when there is a ship at the berth and you may have to  
26 stand by at anchor for two or three days.

27 Q. Usually would you expect to  
28 stay there?

29 A. It depends. It could be from  
30 one day to six days.





1 Q. If you are told you are taking a  
2 ship there, would you expect to stay one day or six  
3 days?

4 A. I think it would probably average  
5 out about three or four days. That would be the average,  
6 I would imagine.

7 Q. Prince Rupert, I think you have  
8 dealt with that. And Texada?

9 A. That is an ore dock. When the  
10 ship comes in there she comes from sea and she goes  
11 into Nanaimo for clearance, and in that case we send a  
12 pilot and another pilot takes her to Texada Island.

13 Q. How many hours piloting would  
14 that involve for each of the two pilots?

15 A. It could be eight hours to Nanaimo.

16 Q. That is return?

17 A. No, from Cedar. And then they have  
18 to anchor at Nanaimo, to get clearance, and sometimes  
19 the surveyor surveys her there, and she arrives at  
20 Nanaimo the next morning. So the other pilot takes her  
21 up there, takes her alongside the dock, and he stays  
22 ashore until she is loaded. But they request he stays  
23 there because it is an unsafe berth.

24 Q. If she is cleared at Nanaimo  
25 there would be a change of pilot?

26 A. Yes.

27 Q. Where would the change take  
28 place?

29 A. The pilot comes out with the  
30 customs.







1 Q. Where?

2 A. At Nanaimo.

3 Q. And another pilot is sent to  
4 take over?

5 A. Yes.

6 Q. And the next one, sir?

7 A. Toquart Bay. That is in Barkley  
8 Sound; that is before you get to Alberni. As soon as  
9 you pass Cape Beale it is only about two and a half  
10 hours into Toquart from Beale. It is an iron ore dock.

11 Q. Vancouver, how many hours piloting  
12 involved?

13 A. Depending on the ship. Coming  
14 in you might have quarantine. Altogether, if you make  
15 it in seven to eight hours, that is a pretty good  
16 average.

17 Q. That is good going?

18 A. Yes.

19 Q. It is pretty good going?

20 A. Yes.

21 Q. And Victoria, I imagine that  
22 would not be very long?

23 A. No, just more or less entering  
24 the harbour.

25 Q. Say an hour or two hours or  
26 three hours?

27 A. Oh, to take a ship from the buoy  
28 to Victoria it is more or less like a ship from Van-  
29 couver Harbour but sometimes they have to wait for  
30 quarantine too.





1 Q. Roughly how much time would that  
2 consume?

3 A. Well, it is just like going into  
4 Saint John. You board the ship off the entrance to  
5 the harbour and take her into the harbour.

6 Q. How long?

7 A. That depends. I would say an  
8 hour or an hour and a half.

9 Q. Woodfibre?

10 A. That is up in Howe Sound. Just  
11 practically the same thing there as Port Mellon. Woodfibre-  
12 the only thing is it isn't as easy to get out of  
13 Port Mellon. There is a ferry runs across the Sound  
14 and you have to get a bus into Vancouver if the ship is  
15 going to be there for a day --

16 Q. Is that a very frequent occurrence  
17 that you stay with the ship?

18 A. No, more often you leave it there.

19 Q. Woodward's Landing?

20 A. That is up not in our district.  
21 That is up the Fraser River.

22 Q. The last one?

23 A. Zeballos, that is up the same  
24 inlet as Tahsis, and that is an iron ore loading port.

25 Q. That would be the same?

26 A. Usually the pilot stays with the  
27 ship there.

28 Q. I think that concludes some  
29 thirty harbours.

30 A. Would you give me my license now?





1 Q. Now again on the question of the  
2 time you spend working, and when I say working I include  
3 piloting and travelling to and from your job. How many  
4 hours a week would be the maximum that you work or  
5 in a month if you wish?

6 A. Maximum?

7 Q. Maximum in the busiest month.  
8 How many hours a week would you work?

9 A. We don't keep track of it too  
10 much. We did keep for quite a few years track of it, and  
11 I think the last calculation we had we figured eleven  
12 hours a day for twenty-six days.

13 Q. Is that an average or is that  
14 actual time?

15 A. That is average of all pilots.

16 Q. I don't want an average. I  
17 want what is actually done?

18 A. What is actually done?

19 Q. Yes?

20 A. What is actually done by one  
21 pilot and what is actually done by another would vary  
22 quite considerably.

23 Q. Let us take you for instance.

24 THE CHAIRMAN: You are always talking  
25 about the busiest month?

26 Q. In the busiest month in your  
27 opinion -- and if you do not know it, say so -- how  
28 many hours per day or per week would the busiest pilot  
29 be working actually? I don't want averages?

30 A. Well, maybe I should suggest to







1 you we did keep track of these. We took some pilots  
2 and I think Mr. Langlois maybe could give you those  
3 figures.

4 MR. LANGLOIS: They have not been  
5 compiled. They would have to be compiled. I have some  
6 forms, but the compilation is not complete.

7 MR. JACQUES: You will file those?

8 MR. LANGLOIS: Later on if I can, yes.

9 MR. JACQUES: Thank you.

10 MR. BIRD: Just one thing if I may  
11 interrupt, Mr. Jacques; my lord, I think it would be  
12 helpful if when these figures are compiled by Mr. Langlois'  
13 clients that they state the time with the hours in the  
14 day commenced, when they are boarding the ship, when  
15 they are leaving home, when they are on call, when  
16 they receive the call, otherwise their significance  
17 might be lost.

18 MR. LANGLOIS: You will have all this  
19 information and more.

20 MR. BIRD: Thank you very much indeed,  
21 Mr. Langlois. We will be most grateful when we see it.

22 THE CHAIRMAN: When do you expect the  
23 compilation will be completed?

24 MR. LANGLOIS: I am not sure but I  
25 hope that before we leave Vancouver.

26 THE CHAIRMAN: In three weeks?

27 MR. LANGLOIS: Yes.

28 THE CHAIRMAN: Not this week?

29 MR. LANGLOIS: I will file it when  
30 we have the sitting in New Westminster.





1 THE CHAIRMAN: Will you be there?

2 MR. BIRD: I will not be in New West-  
3 minster, but someone else will likely be in my place.  
4 It would be helpful to me if I could have it before then,  
5 but I am sure Mr. Langlois' clients will do the best  
6 they can and I will withhold my thanks until I get it.

7 THE CHAIRMAN: In case you have any  
8 question to put even when we are sitting in New West-  
9 minster, you can come before us.

10 MR. BIRD: Thank you very much.

11 THE CHAIRMAN: Because you were not  
12 able to bring it before this session here and you can  
13 do it later on.

14 MR. BIRD: Thank you, my lord.

15 Q. You mentioned in your evidence-  
16 in-chief that sometimes you found ships which were not  
17 equipped with charts; is that correct?

18 A. That is right.

19 Q. Is that a rule or is that the  
20 exception?

21 A. That is probably the exception  
22 to the rule, but it happens.

23 Q. How often has it happened in  
24 your experience?

25 A. Well, it might have happened  
26 more often than I know for as a rule I don't bother  
27 much with charts, but I know sometimes -- one occasion I  
28 know in Prince Rupert where the ship came in and he  
29 had a piece of weather chart and he had to make an  
30 extension on it -- an ordinary piece of paper and he





1 drew lines on it to get his bearings to get into the  
2 boarding station in Rupert.

3 Q. How long ago was that, sir?

4 A. About three years ago.

5 Q. I presume this was a foreign  
6 ship?

7 A. I maybe shouldn't mention the  
8 name, but Greek ships are especially bad for that.

9 Q. Do you find that the ships, most  
10 ships you pilot are equipped with aids to navigation  
11 such as radar, sounding machines, D/F, telephone,  
12 et cetera?

13 A. It is getting that way now that  
14 there are more with them than without.

15 Q. Can we say the trend is towards  
16 having all this equipment on board the ship?

17 A. Yes, it is, but the trouble is  
18 you will have all this equipment on one ship and all  
19 of a sudden you will land on another ship that will have  
20 nothing but an old magnetic compass, sometimes a  
21 90 degree compass.

22 Q. I realize that, but I am wondering  
23 whether the trend is not to-day to have this equipment  
24 on board ship?

25 A. Yes, that is right.

26 Q. Are the ships which you pilot  
27 all equipped with radar?

28 A. No.

29 Q. What is the proportion equipped  
30 with radar?









1 A. To-day I would say maybe eighty  
2 per cent and maybe more.

3 Q. Eighty per cent are equipped  
4 with radar?

5 A. I would say so.

6 Q. Does that apply to sounding  
7 machines and D/F?

8 A. Oh, yes. I shouldn't say -- there  
9 are probably more with sounding machines -- some I have  
10 seen don't work. They still have them on there but  
11 whether they work or not....

12 Q. Are most ships equipped with  
13 gyro compasses?

14 A. Most ships, yes.

15 Q. Now, in your opinion, does all  
16 this equipment help you in your work as a pilot?

17 A. Yes.

18 Q. It does?

19 A. The more equipment they have  
20 probably the more help we have, but you still have to  
21 remember this equipment can go haywire.] It can be out  
22 of order.

23 Q. Oh, yes, that is why I say "help".  
24 I did not say replace you.

25 A. Helps, yes.

26 Q. What about radar? Do you use  
27 radar? Do you actually use radar yourself while you  
28 are piloting?

29 A. Well, if I am going out with a  
30 ship and visibility is impaired, if the radar is there





1 I automatically walk over once in a while and look at  
2 the radar to make sure. Sometimes the mate will be  
3 standing by the radar, but I myself will walk over and  
4 have a look at it too.

5 The thing is of course I never stand  
6 by under radar and guide a ship that way wholly. I  
7 would be out on the bridge and have somebody else look  
8 at the radar, but I do on occasion go and look at it  
9 myself.

10 Q. Your own particular practice,  
11 would you say that nearly all pilots follow the same  
12 pattern?

13 A. Well, yes, more or less. It  
14 might be different.

15 Q. Do you rely on radar merely as  
16 a lookout for on-coming traffic, for other traffic, or  
17 do you use it as an aid to navigation to get distance  
18 and bearings?

19 A. As a matter of fact I don't bother  
20 getting distance and bearings. If I want distance  
21 I ask the mate. I think my duty is to keep a lookout  
22 ahead.

23 Q. And the mate gets it off the  
24 radar?

25 A. Off the radar or by visible  
26 bearings.

27 Q. If you are using radar in thick  
28 fog --

29 Q. In good weather I don't care whether  
30 he puts the radar on or not because we don't need it.





1

2

Q. I am talking about when visibility

3

is poor?

4

A. When visibility is poor the radar

5

is probably on, and if he gets a bearings, that is

6

probably the only way he could get the bearings.

7

Q. In your experience have you found

8

radar reliable?

9

A. Reliable?

10

Q. Yes?

11

A. Yes, radar is pretty reliable in

12

this way: I think if a radar goes out it probably goes

13

out all the way. It doesn't get too much distorted as

14

a rule. It will either be on or it will be off. If it

15

is off you can't use it at all. If it is on, it is

16

a useful instrument.

17

Q. What about sounding machines?

18

Do you make extensive use of sounding machine?

19

A. No, we don't make extensive use

20

of sounding machines.

21

Q. That brings me to the radar

22

station on Lions Gate Bridge. Do you know about this

23

radar on the bridge?

24

A. Yes.

25

Q. Do you know how long it has been

26

in operation?

27

A. I know it has been in operation

28

quite a while.

29

Q. For quite a while?

30

A. Yes.







1 Q. In your job as pilot have you found  
2 it a help to you?

3 A. Yes, it is certainly a help,  
4 especially if you are going out with a ship without radar,  
5 and even sometimes with radar, because lots of times  
6 in daylight if you look at the radar you can't see very  
7 much anyhow because some screens are all right, and some  
8 are not, and another thing, at night time if you look  
9 at the radar you can't look ahead. You can't see ahead.

10 The fellow going out without radar --  
11 it has happened to me a number of times -- the man on  
12 the bridge is starting in counting, and he counts and  
13 we find out by the noise of his counting where the  
14 centre of the bridge is, and we steer to that point,  
15 or he sees us on the radar, and we figure, well, he will  
16 start counting over his loudspeaker system and that  
17 can help you because in foggy weather they see you  
18 coming and they can assist you.

19 MR. JACQUES: My lord, if I may interrupt  
20 the witness here, I think we can arrange for the  
21 Commissioners to visit this station which is situated  
22 right smack in the centre of Lions Gate Bridge. It has  
23 two radars and two radar screens, and there is a man  
24 on watch continuously. There is a loud speaker, and upon  
25 request this man counts and then they can judge whether  
26 they are in the centre of the bridge or not.

27 Q. You are also aware that the watch-  
28 man at the radar station on the bridge could be in  
29 continuous touch with any ships?

30 A. By telephone?





1 Q. By radio telephone?

2 A. Yes, if you have the band.

3 Q. Did you ever make use of these  
4 services?

5 A. Well, we have been trying for  
6 many years to get a walkie-talkie radio so we can talk  
7 to the -- a small one so we could talk to the bridge  
8 and talk probably to other ships, but we have not as  
9 yet been able to get one under the sum of about \$800.00.

10 Q. If the ship you are piloting  
11 is equipped with radio-telephone you could get in touch  
12 with him?

13 A. Yes, and this is done. We do it  
14 with the larger passenger ships, and some of the other  
15 ships, they talk to the bridge.

16 Q. As a pilot and representing a  
17 group of pilots, would you care to see the station re-  
18 moved?

19 A. No.

20 Q. You certainly would not?

21 A. I think it is a very good system,  
22 not only for that, but also for the signals of the ships  
23 coming in and going out.

24 Q. Now you mentioned yesterday that  
25 several of the lights along the coast were unwatched,  
26 and you also mentioned that some had gone out?

27 A. Have gone out, yes.

28 Q. You mentioned that?

29 A. They do go out occasionally.

30 Q. How frequently is it? Does it





1 happen every day, every week or once a year?

2 A. Well, I think on the whole coast  
3 probably once a day there is one of the lights going out,  
4 but it may not be that frequent. If you are speaking  
5 about any certain light, I don't know. It all depends.  
6 It might be a mechanical thing.

7 Q. Anyway it is not on?

8 A. It is not very frequent.

9 Q. Is it a fact that these lights  
10 have gone out and have caused -- I wouldn't say any in-  
11 convenience, but have caused any disaster or delay in  
12 navigating ships?

13 A. Oh, if a light goes out it might  
14 cause a bit of doubt in the pilot's mind, but I don't  
15 think too much -- it might give you a bit of anxiety --  
16 but when you see the land, if you know the coast and  
17 you know the contour of the land and you know the light  
18 should be there -- if it is blinking it is a help.

19 Q. You also mentioned several places  
20 in your district you just couldn't anchor; you had to  
21 go and keep on going?

22 A. That is right.

23 Q. In thick fog what do you do, keep  
24 on going just the same?

25 A. Yes, if you can.

26 Q. And if you cannot?

27 A. We can keep on going. It depends  
28 on traffic and it depends on where you are. As a matter  
29 of fact, if you have got a good radar and if you have  
30 a good echo whistle, most of the pilots I think lose very









1 little time.

2 Q. They wouldn't stop; they keep on  
3 going?

4 A. Yes.

5 Q. You mentioned that some broadcasting  
6 stations put over the air weather forecasts?

7 A. That is broadcasting weather  
8 stations.

9 Q. Do you listen to those broadcasts  
10 regularly?

11 A. No, not particularly.

12 Q. Is it a practice of pilots to listen  
13 to those broadcasts?

14 A. On the northern trips we are  
15 more interested, but taking a ship to sea, well, we  
16 listen to them if they are on, but we don't make any  
17 special point I don't think of being on the radio at the  
18 time it is broadcast unless the weather is bad and you  
19 want to see what the state of weather is or something  
20 like that.

21 Q. You mentioned that the pilot  
22 boat at Victoria I believe was not good?

23 A. Oh, no. Three boats at Victoria.  
24 Two of them I say -- well, they are all old enough, but  
25 two of them are satisfactory and the other one is not  
26 so satisfactory.

27 Q. What is wrong with her?

28 A. The accommodation in her is bad  
29 and small. She is not as good as the other ones as far  
30 as I am concerned.





1 Q. Well, she may not be as good,  
2 but she may be seaworthy. Is she seaworthy?

3 A. She wouldn't be able to have a  
4 license if she wasn't seaworthy.

5 Q. What is wrong with the boat if  
6 you are not satisfied with her? Is it just because the  
7 accommodation is not large enough?

8 A. It is not that we are not satisfied,  
9 but it is the worst of the three and we would prefer the  
10 other two boats ahead of her, that is all.

11 Q. But then this third one, what is  
12 her number, or her name, this one which you are not  
13 happy about?

14 A. I think it is number 20. Maybe  
15 I am wrong.

16 Q. Do you feel safe when you go  
17 aboard?

18 A. I have been going out on the  
19 thing for twenty-five years, so I guess I must feel safe.

20 Q. Then she couldn't be as bad as  
21 all that, could she?

22 A. I never said she was as bad as  
23 all that. I said she was not satisfactory.

24 Q. You mentioned also that owing  
25 to stress of weather you experience difficulties in  
26 boarding at Triple Island. Correct?

27 A. Yes.

28 Q. Is that a regular event or is it  
29 just occasionally that you are not able to board?

30 A. Oh, it is quite frequently we have





1 difficulty.

2 Q. How many times in a month, or?

3 A. Sometimes in one month you don't  
4 get any bad weather. It depends on how many ships come  
5 in there, how many times you are going to have it bad.  
6 But Triple Island is an exposed station, and the boats  
7 are not satisfactory for the job, and if you do happen  
8 to get out there any time when the weather is bad you are  
9 going to have a bad time.

10 Q. What is wrong with the boats there?  
11 Are they too small?

12 A. They are old towboats. They were  
13 never really built for pilot boats. They tow logs.

14 Q. Are they steel hulls or wooden  
15 hulls?

16 A. Mostly wooden hulls

17 Q. They have a deck, and they are  
18 covered?

19 A. Yes, they have a deck but it is  
20 pretty close to the water, and the sea washes over them,  
21 sometimes, and they have bulwarks, and you have to jump  
22 over the bulwarks. As a matter of fact you should take  
23 a trip out in one of them when you get up there.

24 Q. Well, I would appreciate it.  
25 Are they seaworthy?

26 A. They are seaworthy as tugs, and  
27 they are also granted a license to pack pilots, but not  
28 to pack passengers.

29 Q. I understand that they may not  
30 be suited to boarding ships, but just the same they may







1 be seaworthy. Is your life in danger when you are aboard  
2 one of these pilot boats?

3 A. It could very well be.

4 Q. How?

5 A. Because the ship, it might be  
6 seaworthy, it may even have a license for harbour and  
7 sheltered waters, but when it gets out into exposed  
8 waters --

9 Q. Of course, I am always referring  
10 to the job where you are going into the harbour?

11 A. They are not satisfactory ships to  
12 go out there in any weather.

13 Q. Yes, but are they safe?

14 A. They are not even safe in my  
15 estimation.

16 Q. They are not safe in your estimation?

17 A. No.

18 Q. And what do you think is wrong  
19 with the boats?

20 A. They are being used for something  
21 that they were never built for.

22 Q. And that is the only reason why  
23 you say they are not safe?

24 A. And they are old boats to begin  
25 with.

26 Q. How old are they roughly?

27 A. Well, they have several up there.  
28 I think some of them are probably twenty years old.  
29 Anyhow they are old boats. Some of them are tugboats  
30 that worked out of Vancouver here, and they were sold





1 because they got new boats. Anyhow the boats there are  
2 unfit, and the only way I could say is that you should  
3 see them, and then you can make up your own mind.

4 Q. Well, I can assure you right now  
5 that I may not see the boat, but someone else will see  
6 the boat.

7 THE WITNESS: Good. I think the people  
8 of Prince Rupert and the Chamber of Commerce will see  
9 that you see them.

10 Q. You also mentioned that tugs and  
11 booms were hazards to navigation. I would like to know  
12 how much of a hazard?

13 A. Well, it all depends where you  
14 meet them. They are a hazard to piloting. That is they  
15 are a worry to piloting because of the length of them.  
16 Some of these tows are a mile long, and they are trailing  
17 out behind with a small tug ahead of them, sometimes  
18 a big tug ahead of them, but anyhow they have a long wire  
19 to the barge, or to the boom, and then a long boom behind  
20 that, and they stretch out a mile practically altogether,  
21 and if you meet one of those on a bend, or even going  
22 out of Vancouver Harbour, you have to be very careful to  
23 avoid them.

24 Q. You have to be very careful?

25 A. Yes.

26 Q. But does it create an acute  
27 danger to navigation?

28 A. Well, the acute danger of doing  
29 damage. If you hit the boom you cut the boom open, you  
30 spread all the logs all over, and you are liable to





1 probably a very large claim for loss of logs.

2 Q. To your knowledge has there ever  
3 been any accidents between a ship on which a pilot was  
4 and a boom?

5 A. Yes, there has been.

6 Q. When did the last one occur?

7 A. I think you must think I have a  
8 wonderful memory, because I can't remember all these  
9 things.

10 Q. Well, just say you can't remember.  
11 I am not trying to force answers out of you. You were  
12 the witness presented by the pilots, and I felt that I  
13 should be examining you instead of calling other people.

14 A. Well, good for you. So I will  
15 say I don't remember.

16 Q. When there was a mention of  
17 bridge aft ships you claimed that you should have more  
18 tugs to handle these ships?

19 A. I didn't say we should have. I  
20 said as long as we are allowed to get more tugs.

21 Q. Would you care to explain why this  
22 necessity of more tugs to handle these ships, as opposed  
23 to handling --

24 A. This is berthing?

25 Q. Yes, of course, it is not piloting.

26 A. Well, because coming into dock  
27 like that you see you have got the long bow ahead of  
28 you, and if you haven't got tugs to guide that bow in  
29 there, lots of times you can't see, and there is a ship  
30 at the other berth. We can probably use the anchor,









1 but when your visibility is impaired it does not work  
2 out very good. It is better to have tugs to guide and  
3 push the bow in.

4 Q. So would it be fair to say that  
5 on these ships the master of the tug stationed at the  
6 bow is the one who actually puts the nose of the vessel  
7 into place. Is that right?

8 A. The master of the tug works under  
9 the pilot's orders.

10 Q. Yes, but he sees --

11 A. It does not matter whether he  
12 sees, or not. If he starts pushing you when you don't  
13 want to be pushed, you just get somebody else to do the  
14 pushing. We don't have any trouble with the tugs here  
15 anyway.

16 Q. I am sorry to harp on this, but  
17 I would like to get a very clear picture of a bridge  
18 aft vessel. The engines are aft, the propellers are  
19 aft, and the rudder is aft. On an ordinary ship the  
20 propeller is aft, the rudder is aft, but the bridge  
21 is amidships. If the ships are both of the same length,  
22 I will be quite frank with you, I don't see why any tug  
23 would help, and I would like you to explain that to me  
24 and to the Commission?

25 A. Well, the only thing I can say  
26 is that if we didn't have any tugs if this was an ordinary  
27 ship and we were amidships, we might have one tug  
28 standing by at the bridge, and we could chase him to  
29 whatever position we want in a hurry, but when you are  
30 in a long ship with the bridge aft, by the time that tug





1 got forward it may be too late.

2 MR. BIRD: My lord and Mr. Jacques, just  
3 one question arising out of this matter of tugs, if I  
4 may.

5 Captain Gosse, if you consider as a  
6 pilot that additional tugs are necessary in respect of  
7 any movement you are making on any ship, bridge aft  
8 or amidships, or wherever it may be, and you ask the  
9 pilot for it, do you as a rule get them?

10 THE WITNESS: Ask who?

11 MR. BIRD: I am sorry. Ask the master  
12 for additional tugs, do you normally get them?

13 THE WITNESS: Well, a lot of times in  
14 our despatch when the agent phones and gives the job,  
15 he will tell the despatcher that he wants a pilot, this  
16 ship is leaving, such and such, and the way he puts it  
17 is "tugs as required". So the pilot orders his own tugs.  
18 That is not always, but a lot of the times.

19 MR. BIRD: So, as a general rule the  
20 companies permit you whatever tugs you are going to need  
21 for the move?

22 THE WITNESS: Yes. On the other hand,  
23 as far as the master is concerned, if we tell the master  
24 we want tugs and he says he is not going to give us tugs,  
25 then we have the privilege of saying "then you move the  
26 ship yourself".

27 MR. LANGLOIS: This situation that you  
28 have just described is here in Vancouver, but do you get  
29 all the tugs that you need when you are up in the upper  
30 northern portion of the district?







1 THE WITNESS: No, in a lot of the ports  
2 you can't get tugs. They are not available. Sometimes  
3 in the ore docks they send tugs all the way up from  
4 Vancouver, but there is ports that you can't get tugs.  
5 You don't get tugs.

6 MR. BIRD: Yes, but the difficult places,  
7 for instance Beavercove, there is a tug standing by?

8 THE WITNESS: Sometimes.

9 MR. BIRD: And at Jedway or Harriet Bay?

10 THE WITNESS: The last ship in Jedway  
11 she had no tugs.

12 MR. BIRD: Didn't need them? Didn't  
13 want them?

14 THE WITNESS: They wanted them, but they  
15 said it was not necessary. Not the pilots didn't say  
16 that.

17 Q. Now sir, on Page 20 of your brief,  
18 which refers to a description of the District -- you need  
19 not take it, I think you know it by heart, you have  
20 passed a very good examination a moment ago.

21 I would refer you to the very last  
22 sentence of Paragraph 1. You refer to: "Most of them  
23 are narrow and bordered by high mountains in many cases  
24 rising to several thousand feet and affording grand and  
25 striking scenery by day but causing extensive and heavy  
26 shadows during darkness". Would you explain how this  
27 affects your work as a pilot?

28 A. Well, it affects your work in  
29 this way. That in daylight if you are going up those  
30 channels, of course you can see both sides of the channel







1 there very well defined, but at night time you see the  
2 shadows crossing across the channel, and it is nothing  
3 but a black blur, and you can't see where the water and  
4 the side of the mountain meet sometimes for these shadows.  
5 So you might see the top and the bottom, but you don't  
6 see any waterline. So you are going up there just because  
7 you know the coast, and you don't have any trouble, but  
8 they do present a problem just the same.

9 Q. So would it be fair to say that  
10 it as it were reduces visibility?

11 A. Well, it contorts the visibility.

12 Q. Now, in Paragraph 4 on Page 20  
13 you refer to Seymour Narrows and currents of 14 knots. Would  
14 you care to point out on a chart produced and filed as  
15 an exhibit where is Seymour Narrows and also by the  
16 same occasion if there are other places in your District  
17 where currents reach such velocity?

18 I show you Exhibit A1 to the brief  
19 presented by the B.C. Pilots. Would you indicate Seymour  
20 Narrows on Exhibit A1 by a letter B in blue?

21 (The witness complies)  
22

23 Q. Are there any other places in  
24 the District where the current reaches such a velocity  
25 as 14 knots, or even 10 knots?

26 A. Up around here.

27 Q. When you say around here?

28 A. Hardwicke, Helmcken Island.

29 In Salmon River there is tides 5 to 7 knots.

30 Q. And in the rest of your District,





1 the Strait of Georgia and other places, what would be  
2 the maximum velocities which you would encounter?

3 A. Oh, they vary. There is considerable  
4 tide around here, at East Point, Boundary Passage, Active  
5 Pass, 5 to 6 knots. Porlier Pass.

6 THE CHAIRMAN: I think, Mr. Jacques, you  
7 are not through with the witness yet, but I think the  
8 witness has won a rest for to-day. I think he has had  
9 quite enough, so we will adjourn till tomorrow at 10:00  
10 a.m.

11  
12 ---At 5:00 P.M. the Hearing adjourned until 10:00 a.m.  
13 on the 13th of March, 1963.

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